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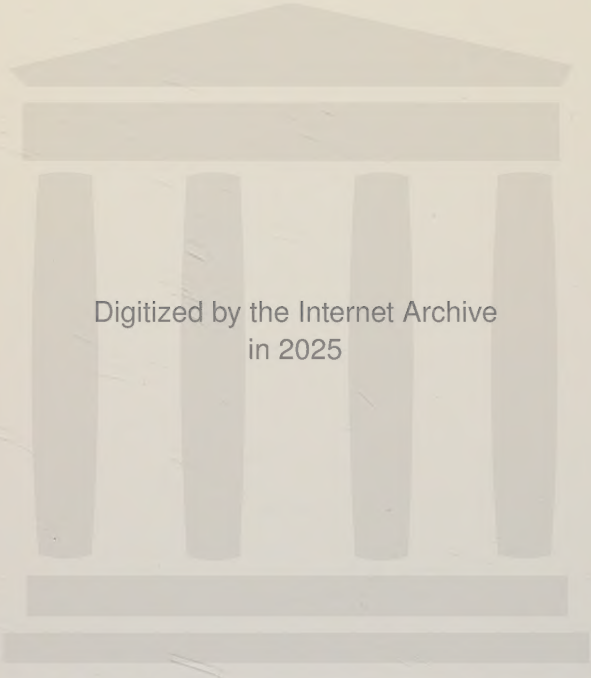

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DOCUMENTARY ANNALS

OF THE

REFORMED CHURCH OF ENGLAND;

BEING

A COLLECTION

OF

INJUNCTIONS, DECLARATIONS, ORDERS, ARTICLES OF INQUIRY, &c.

FROM

THE YEAR 1546 TO THE YEAR 1716;

WITH NOTES HISTORICAL AND EXPLANATORY,

BY

EDWARD CARDWELL, D. D.

PRINCIPAL OF ST. ALBAN'S HALL.

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A

COLLECTION OF

INJUNCTIONS, DECLARATIONS, ORDERS, &c.

C.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
JOH. WHITGIFT 2.	1584.	ELIZAB. 27.

A writing of the bishops in answer to the book of articles offered the last sessions of parliament, anno regin. XXVII. *for ecclesiastical causes, concerning ministers, excommunication, dispensations, &c.*—Strype's Annals, vol. iii. App. p. 81.

I. *Concerning ministers.*

The first article.

THAT it may be enacted, that none be admitted to be minister of the word and sacraments, but in a benefice having cure of souls, then vacant in the diocese of such a bishop as is to admit him.

5 *A writing of the bishops*] This paper is so described on the authority of Strype, (Ann. vol. iii. P. i. p. 329,) who speaks of it thus: "I meet with another answer at good length to those sixteen petitions, given in by the bishops in general; and seem to have been done at their con-

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Answer to the first article.

This cannot possibly be performed without altering the whole state of the church of England. First because there must be curates, and that of necessity. Secondly, Because there are other ecclesiastical livings, which require ministers of the word and sacraments, as well as benefices with cure; as deaneries, prebends, masterships, and fellowships in the universities, and petty canons in cathedral churches.

The article is grounded upon a false principle of T. C. (Thomas Cartwright) against ministers having no pastoral cure; which neither he, nor any man else is able to maintain either by the word of God, or ancient authority. For by "Ministerium vagum," the old councils and canons did always understand such as were ordained "Sine patrimonio aut titulo:" that is, not having any stay of living. As it is manifest in the council of Chalcedon.

vocation; which having not as yet seen the light, I can not omit to insert this MS., being an important matter of the history of our church at that time, when there was such a joint endeavour of many, eager for another discipline to be brought in, and the former with the public prayers and offices to be laid aside." But it is evident on a comparison of this paper with the sixteen petitions drawn up by the house of commons in the session of 1584–5, and presented by them to the house of lords, that the statement of Strype is incorrect. The sixteen petitions recommend many matters, such as the suspension of ministers who are not of ability according to the statute, the prohibition of any oath or subscription on ordination or institution except according to statute, the allowing of omissions or changes of some portions or rites in the Book of Common Prayer, the restoring of certain ministers suspended for non-subscription, the forbearing of examinations ex officio mero, and the permitting of exercises and conferences among the ministers of each archdeaconry; these matters were among the topics of greatest interest and most frequent discussion at the time, but are altogether unnoticed in the paper before us. It is more probable then that the articles propounded in the paper were drawn up at a subsequent

Such as have great cures shall be overburdened with saying of service, preaching, ministering of sacraments, all themselves. For they shall be destitute of a curate to help them to say service, to visit the sick, to administer the sacraments, to catechise, etc. By this means fellowships in colleges, which by their statutes must be in orders, are overthrown.

The second article.

That before the admission of such minister, the bishop give public notice by writing under his seal, to be fixed on the church door, that is destitute of a pastor, upon some Sunday or holy-day in the time of divine service, signifying the name of the person presented to that church, or there to be admitted; with intimation that such as within twenty-six days after, will object against the admission, shall appear at a place certain before him,

period, and in a form less likely to be rejected, the general sentiments of the bishops having already been ascertained from the answers to the sixteen petitions which had been given by the two archbishops, and by bishop Cooper. (Strype, Ann. vol. iii. P. i. p. 329.) They certainly adopt more moderate views of change than the petitions of the commons, not merely in omitting the matters noticed above, but also in expressing in a less objectionable manner the suggestions that are common to both documents. The petitions, for instance, pray that "no bishop shall ordain any minister of the word and sacraments but with assistance of six other ministers at the least;" the articles before us are contented to recommend that "the bishop shall not make any minister but such as shall be by the dean and chapter, or the more part of them, or six learned preachers of the diocese then present, allowed for a man meet and sufficient, by subscription of their hands to some writing, declaring their assent in allowing of him." It would appear then that these articles were presented to the bishops by some party less adverse, than the commons were, to the existing condition of the church, and after the more objectionable propositions of the commons had been withdrawn or modified. Comp. Strype, Whitg. vol. i. p. 347. vol. iii. pp. 118. 124. Ann. vol. iii. P. ii. p. 302. Collier, vol. ii. p. 593. Neal's Purit. vol. i. p. 293. Hallam, vol. i. p. 226.

and allege such matter, as shall only concern his conversation of life, and thereby his insufficiency for that place.

The third article.

That the bishop shall not proceed to the admission of any to be minister of the word and sacraments, before due certificate made in authentic form, and public place, by him to be assigned, that the process of notice and intimation was executed in form aforesaid; nor before the expiration of the said twenty-six days, nor without calling for and hearing of such, as upon return of the said process, shall and will object, as aforesaid.

The answer to the second and third articles.

This is unnecessary and in vain, unless he that is to be admitted, had been dwelling in that parish before. Which will happen very seldom. The writing and sending to the benefice void, and the return thereof in authentic form, will be very chargeable to the minister; especially where the place is far from the bishop's mansion house. It also protracteth time, and will administer occasion of quarrelling.

The charges also and delay will be increased, if the party to be admitted, do stand upon the purgation of the objections laid against him.

This testimony required of the parishioners, lacking their pastors, is an introduction to bring the patronage to the people, and to set a fire among them, for testifying or not testifying; and that many times of a person they know not.

The objecting of the people will fall out many times to be mere malice, whereby immortal hatred will rise among them.

The person indeed had need be a very ill man, that a number of the parish will come a long journey to the or-

dinary, on their own costs, to object against him that is to be admitted.

What, if the parish will be negligent and will not return? shall they lack a pastor still? the patron, if he be mighty, may enter, lett the return, or procure such as he shall like of. And who and how many of the parish shall return?

The fourth article.

It is here to be provided, that where in certain colleges, and cathedral and collegiate churches the foundation or statutes require such as are there placed, to be ministers; it shall be lawful for such as are known to profess the study of divinity, or otherwise be lawfully dispensed withal, to retain, as before this act they might, any fellowship or prebend within the said colleges, notwithstanding they be no ministers.

The answer to the fourth article.

I. This utterly overthroweth the foundation and statutes of almost all the colleges in Cambridge and Oxford, being founded principally for the study of divinity, and increase of the number of learned preachers and ministers. And therefore, not only the master, provost, warden, president, etc. by the said foundation and statutes are bounden to be ministers, but divers others also of such societies are likewise bounden to enter into the ministry by a certain time, or else to yield their places to others.

II. It will deprive the church of England of the worthiest, best learned, and wisest ministers and preachers. For there is no comparison between such ministers and preachers, as the universities continually yield, in respect of such foundations and statutes, and others, being no university men, or not entering into the ministry, while they remained there; as at this day it is notorious. For although there are divers that can preach, etc. yet they

have no substance of learning in them, neither are they able to stand with the adversary, either in pulpit or disputation: a thing as well required in a minister as exhortation is.

III. If this device take place, where the universities yield now great number of preachers and ministers, they would not then yield one for twenty. And so the number of preachers, which now are thought to be very few, would then be much less; and at length the utter decay of the study of divinity, and the very next way to bring in popery and ignorance again.

IV. It overthrows the degrees of the university, which are taken in divinity; as the bachelorship and doctorship. For even sithence the first foundation of them both, it hath been perpetually used, and it is by statute required, that none should take any of these degrees, but such as are in the ministry. And indeed it is both inconvenient and absurd that it should be otherwise.

V. At this day, there are in the university of Cambridge an hundred preachers at the least, very worthy men, and not many less in the university of Oxford: and the number daily increaseth in both, to the great benefit of the church. But if this might take place, within these seven years there would not be five ministers in either of them.

VI. It would cause men all their lifetime to remain in the universities; so that there should be no succession.

VII. It also overthroweth the foundation and statutes of all cathedral and collegiate churches; and taketh away the chief and principal reward for learned preachers: for the best livings for worthy men are in such churches.

VIII. It taketh away the wisest, best learned, and gravest divines, such as do and are most able to withstand not only papists, but other sectaries also.

IX. Every one to keep these places would openly profess the study of divinity, and secretly study the one law

or the other, or physic, or some trifling study all his life long.

X. There will be no care of profiting when there is no trial thereof, which is most special by open preaching: which were absurd to be done by no ministers.

XI. Any which hath been a student, may under pretence of studying divinity, without any trial obtain deaneries, provostships, prebends, etc. and being a layman, may live idly on the spoil of the church all his life, except he taught a benefice.

XII. There shall want sufficient trial of the abilities of preaching of such as are to be bishops, except they be chosen from some benefice: which breedeth small experience for governance.

XIII. It would greatly diminish the number of preachers and sermons; which the universities, colleges, and cathedral churches do yield both at home and abroad in every country; in the respect that those, which now have the livings, are bound to be ministers.

XIV. It taketh away daily service used in these churches (which were impiety) unless it might be said or sung by such as are now ministers: which is absurd.

XV. To conclude, it will breed a beggarly, unlearned, and contemptible clergy and ministry. It is the very way to overthrow all colleges, cathedral churches, and places of learning. It will extinguish the study of divinity, diminish the number of preachers, and breed a great confusion and alteration in the church and commonwealth. And it is a piece of T. C. his platform.

XVI. By this the reward of divinity will be taken away, and the divine thrust to a benefice of xl*l*. This is covertly to shove at the gospel, to place the lawyers and others as they please.

XVII. Note, That hereby they would have dispensations to take place against the statutes of colleges and cathedral churches.

The fifth article.

That none be made minister, but upon some Sunday publicly in the cathedral church of the diocese, where the minister is admitted.

The answer.

That he be made public, it is not amiss; but to observe the precise place of the cathedral church, it will be inconvenient; because divers bishops dwell far from their cathedral churches.

The sixth article.

That the bishop make no minister but such as be of his own diocese, and have there continued by the space of one whole year; except such only as come from the universities, and bring testimonials of their meetness under the university seal.

The seventh article.

That such as be of the bishop's own diocese, shall bring with them such a testimonial as is limited in the statute of anno xiii. Elizab.

The answer.

I. These are very expedient and necessary, and even so provided for by the law.

II. It were more meet also, that these things were observed, when patrons present to a benefice: and that as the testimonials do witness their conversation, so the bishop should without any impeachment of "Quare impedit," etc. be judge of their ability in respect of the cure which they desire.

The eighth article.

That after the receipt of the said testimonial, the bishop shall not proceed to the making of this person

minister, which bringeth that testimonial, before he shall declare before the dean and chapter of the cathedral church, that he well knoweth the persons, by whom the testimonial is made, to be such as is by the said statute expressed.

The answer.

This is unnecessary and altogether needless, neither can it be performed.

The ninth article.

That he shall not make any minister but such as shall be by the dean and chapter, or the more part of them, or six learned preachers of the diocese then present, allowed for a man meet and sufficient, by subscription of their hands to some writing, declaring their assent, in allowing of him.

The answer.

I. It will breed great trouble, and not work that effect which is looked for; neither can it by all in place be performed.

II. It would also be very chargeable, upon the absence of the most of the chapter, if the party should procure the hands of six preachers, dwelling in dispersed places.

The tenth article.

That none shall have a benefice with cure, being of the value of xx*l.* yearly in the queen's books, except he be a master of arts, or a preacher allowed, notwithstanding that he be made a minister before of some mean cure.

The answer.

It is to be liked of; so that diligent heed be taken that none be admitted preachers, but such as be worthy.

II. *Concerning excommunication.*

The first article.

Excommunication is at this time the pain of contumacy, and hath place where a man appeareth not upon a process, or satisfieth not some order prescribed by the judge, as not taking some oath, or not paying legacies, tithes, etc.

The second article.

The offences that grow by the practice hereof in this manner are great. One, that being the highest censure left by the church of God, it is profaned by applying it to temporal and civil causes. Another, that it is executed by men that have no calling in the church, as chancellors, officials, etc.

Again, forasmuch as the church may not be left without this censure of excommunication, it is to be provided, that for enormous crimes, as adultery, and such other, the same be executed either by the bishops themselves, with the assistance of grave persons, or else by other persons of calling in the church, with the like assistance, and not by chancellors and officials, as hath been used.

The answer.

Excommunication hath been used by the ecclesiastical judge, ever sithence there hath been either discipline in the church, or jurisdiction in the ecclesiastical magistrate, and is the only punishment thereof: for the ancient lawmakers, thinking that blood and bodily pains ought to be far from ecclesiastical magistrates, have given them this mild spiritual sword, to divide that person from the ecclesiastical body, that refuseth to do his ecclesiastical duties, and to obey the ecclesiastical judge; not excom-

municating every man for twopenny causes, as is surmised (though indeed there be as much in ii*d.* as in cc*l.*) but in excommunicating them for not obeying the order, decree, and sentence of the judge, according to her majesty's ecclesiastical laws. Even as in a temporal cause of ii*d.* the party is outlawed, and consequently his fruits and goods of his lands are at the prince's pleasure, if he appear not, or obey not; and yet it is not to be said, that a man is outlawed for ii*d.* but for not obeying the law process and judge, in a twopenny matter. For the smaller the matter is, the greater is the fault of contumacy and disobedience, saith the law.

Excommunication for process, order not obeyed, taking some oath, etc. is not for civil causes: but these causes are ecclesiastical; and what can be more against the church, than when men will not be ordered by it, nor obey it? In God's law such as would not be ordered by their judge, or high priest, were stoned.

There is no law nor function in the world void of exception, and imperfection. And to have it void thereof "Est optandum magis, quam sperandum," as in Plato's commonwealth.

If excommunication be either taken away or changed, the whole course of the common law of the realm concerning that matter, and touching the writ, "De excommunicato capiendo," must be changed; wherein many things, not yet thought on, may happen; and instead thereof some convenient temporal penalty must be devised. Which how unliking and unpleasable it will be, and how full of difficulties, the wise can consider.

And if excommunication be thought fittest to continue (for that there will be as many inconveniences, or more in time found in other things, as in that) and that for the better credit of the proceeding therein, the bishop be arched to sit in consistory, his whole life will be spent in his jurisdiction, and in study of law, that he might be

able to discern whether the process be according to law, before he inflicts the censure; which will be as great decay of preaching, as it hath been in foretime. For the jurisdiction alone requireth "totum et integrum hominem."

Touching the execution by men of no calling in the country.

The jurisdiction in the beginning was jointly in the bishop, dean, and chapter. Which bred so many opinions, such impeachments and confusions in proceeding, that by the general custom of the world, generally the jurisdiction was thought convenient to be exercised by the bishop alone; which growing great, as the church and ecclesiastical causes increased, and consequently calling the bishop from his function, the law and constitutions ordered that the official or vicar general of a bishop or archdeacon, should have the same consistory or jurisdiction, that the archdeacon or bishop had, and the same authority to excommunicate. Which by the statutes of this realm is also allowed to doctors of the law. For that in later times, divines have wholly employed themselves to divinity, and not to the proceedings and study of the law: whereunto in foretimes the clergy were more addicted than to divinity, in respect of the gain and offices exercised under bishops, archdeacons, and other ecclesiastical callings, which drew them wholly from divinity.

This excommunication by law was never used, nor could be used as a punishment of any crime, saving of notorious heresy, usury, simony, piracy, conspiracy against the person of the prince, of his state, dignity, or crown, perturbers of the common peace and quietness of the church or realm, wilful murderers, sacrilegers, perjurers, and incorrigible and notorious committers of incest and adultery, false witness, and suborners thereof, violent

layers of hands upon ecclesiastical persons, and such other great and horrible crimes, which were called "sententiæ canonum." Wherein besides the particular penances, that the bishops and their officers did impose, it was for more terror provided by ancient canons, that there should be a general open denunciation of this excommunication in every cathedral church and parish church twice in the year.

For other light faults there was no excommunication permitted or used as a punishment, other than for manifest and wilful contumacy or disobedience in not appearing, when persons were called and summoned for a cause ecclesiastical, or when any sentence or decree of the bishop or his officer, being deliberately made, was wilfully disobeyed and not performed.

Such wilful contumacy and disobedience to authority is in the law accounted so great, that it is called a contempt of that "quod est in jure extremum;" that is to say, if the judge cannot have appearance of the parties, or execution of his judgments, here he is at the wall, and can go no further.

Of very ancient time this was the manner of proceeding in this realm, and the only mean of reducing obstinate persons to the obedience of the law.

It may appear by the ancienter statute or act of parliament in the 9th year of Edward II. that it was the old custom and usage of the realm, long before that time. The words are these: "Si aliqui propter suam contumaciam manifestam excommunicentur; ac post 40. dies, dies pro eorum captione scribatur, et prætendunt se privilegiatos; et sic denegatur breve regium pro captione corporum? Responsio regis: Nunquam fuit negatum, nec negabitur in futuro."

It is to be considered, whether this manifest contumacy, and wilful disobedience to the magistrate and authority be not as well punishable, as when the original

cause or matter is weighty, the difference whereof doth nothing alter the nature of the disobedience.

In this our realm, of very ancient time, it hath been observed from time to time, that there was never alteration made of any law ecclesiastical, although it had appearance to benefit the state of the clergy; but that it turned ever to some notable prejudice.

III. *Concerning commutation of penance.*

That there be no commutation of penance for sin, but by the order and appointment of the bishop, with the assent of the dean and chapter, or the most part of them, or with the assent of six preachers of that diocese.

The answer.

I. The bishop is sufficient for this matter. II. It were good to inhibit justices of peace to commute, but to permit them only to punish corporally. And yet notwithstanding, the parties offending not to be received into the church, till they have done such penance, whereby the congregation may be satisfied.

IV. *Concerning dispensations.*

The first article.

The faculties which did the greatest hurt in the church of God, were three; viz. dispensation "de non promovendo," dispensation for pluralities of benefices, and dispensation for non-residence.

The second article.

These two last named faculties have bred the disorders of making "vague" ministers, whereof have ensued two great incommodities: one, and the chiefest of all, that the people is not taught: the other, that the ministers placed in benefices, where the pastor is absent, and having for

the most part small allowance, do post from place to place for their better preferment, and resting no where, respect neither their life, nor increase in knowledge. For men be careful for their conversation, where they are to have continuance. And small account can be taken how he profiteth, that abideth no where long.

The answer.

The faculty "de non residendo," is so rare, as by the present archbishop there was never any granted. And by the last archbishop never any yielded unto, but by special requests and warrant from my lords of her majesty's council; and that to men qualified in her majesty's service, or otherwise greatly employed in the commonwealth. And therefore it needeth no such provision by law.

The faculty of non-residence is also so rare, and granted in such respects, as sithence the time of this archbishop there hath not been above one granted, and that to a man of 80 years old; with whom the law itself dispenseth.

Beside, that the statute of the realm provideth so sharp a penalty for non-residence, by the forfeiture of x*l.* a month, to be recovered in the exchequer, as no man careth to sue for the faculty; and if they do, it profiteth nothing. For that the statute inflicteth the punishment, all faculties and dispensation notwithstanding; and a more severe punishment cannot well be devised.

Touching the faculty of pluralities, the ground thereof is this. Men of excellent gifts, and extraordinary virtue, oftentimes have no livings or very small living. And when they cannot attain so great as their quality deserveth, the policy of the church hath thought fit to grant to such an one two livings, as an extraordinary reward for extraordinary virtue. For if all men could be made fit for all livings, or all livings for all manner of men, there should have needed no dispensation of pluralities;

but forasmuch as that cannot be, it is lawful in such case of necessity, and for such extraordinary causes, to recede from the strait and common course of the law. And so hath it been used in all ages. Neither can it be better policed, nor more restrained, than of late it hath been in respect both of distance of places, and the value of their parsonage, with great caution both for their hospitality and preachings. Besides that the laws being positive that forbid plurality, the difference in reason is very small between the little benefices not far distant, and one great benefice: and therefore no strange thing, if by like positive law there be admitted by mitigation a dispensation of the rigor of law.

Moreover, the number of benefices in England being about 18,000, and the universities not able to furnish the third part of them with sufficient men, it is better, that one worthy man have two benefices, than to be unfurnished of living, or be obscurely placed in a small parish or poor living; or the same benefices committed to two unlearned men.

The third article.

That no chaplain have two cures, if both amount above 40*l.* in the queen's books, or be 20 miles distant.

The fourth article.

That none enabled to have two cures, shall enjoy the same, unless they be under the value aforesaid, and within 20 miles distant; and be resident upon one of them.

The answer to the third and fourth articles.

I. The distance of miles is not to be misliked; but the limiting of the value is unreasonable, and tendeth only to the impoverishing of the ministry; being a state as worthy of living in many respects, as others of other callings whatsoever, in respect of their calling.

II. The best gifts deserve the best rewards. And there-

fore it were better to make a limitation, what degrees of schools shall only be enabled for the best livings.

III. Dignities, prebends, and places in colleges (as before) are required by dispensation for laymen. Here the divine is set at 40*l.* If a man would deal covertly to pull away religion, how could he do it better?

The fifth article.

That no dean of cathedral church, prebendary, or other having dignity, shall have more than one benefice with cure, besides his dignity.

The sixth article.

That no one have mo dignities or prebends than two.

The answer to the fifth and sixth articles.

I. It is very unreasonable, and tendeth to the same end with the third and fourth articles, and will discourage men from the ministry, and make a beggarly clergy, far unapt to give hospitality, or to do many other things required of them, and looked for at their hands.

II. It is also very inconvenient, for most of these dignities are decayed within these last fifty years very much. Greater impositions for the service of the realm are laid upon them. Every thing to be required at double or treble prices, in respect of that it was then at. And yet as great or greater hospitality looked for.

The seventh article.

That they, which may have chaplains, shall advance no more than their number, till the advanced dieth, or otherwise one of two benefices become void.

The answer.

I. This is not to be misliked, unless the party be otherwise qualified than by the chaplainship.

II. And yet inconvenience may arise of it. For if a chaplain doth not behave himself as appertaineth, no reason he should be retained in service, and it were hard not to allow another in such a case.

The eighth article.

That none shall be chaplain, enabled to two benefices, except he be master of arts, or allowed by the ordinary as sufficient.

The answer.

It is very convenient.

The ninth article.

That none shall be non-resident, but such as be continually attendant in the houses of such as they are chaplains unto.

The answer.

I. To be attendant the greater part of the year were sufficient. For the other part of the year they may be at their cure. And besides some have chaplains, which attend by course. Which is very convenient.

II. This is very prejudicial for grave men required for government in the universities. Which may very well discharge both duties.

III. This overthroweth residence in cathedral churches, colleges, and deaneries. So that they cannot be attendant there, except they will leave their benefice, though it be but one.

The tenth article.

That they shall preach in person yearly, two sermons, and four sermons besides "per se vel per alium."

The answer.

It is too easy. It is requisite, that they should preach mo sermons even in their own persons.

The eleventh article.

Lastly, To consider, whether it were not meet to abate the numbers of the chaplains of the archbishops, and others under that degree, that may by the statute keep more than one chaplain.

The answer.

It is not meet. For those of the clergy that have chaplains allowed, the statute sets down a good consideration. And there are not many such. Besides it is looked for, that they should have preachers about them to furnish the want that is in most dioceses.

The twelfth article.

That in cases of pluralities and non-residences, the bishops shall have the allowing of the minister that shall serve the cure, in the absence of the incumbent; and the stipend of the said minister to be appointed by the bishop, according to the sufficiency of the minister. So that the same stipend do not exceed the third part of the clear yearly value of the benefice.

The answer.

This is very reasonable and according to law.

The thirteenth article.

There is one faculty of great inconvenience granted not only by the court of faculties, but by the chancellor of every diocese, viz. The dispensation of marriage without banns asking. By occasion whereof, children make disordered matches without the assent of their parents; and orphans are left to the spoil of unthrift persons.

The answer.

I. It may be so qualified that no inconvenience shall

ensue thereof. II. There be divers reasonable occasions, that daily happen, which may hinder the thrice asking of banns; which causes are meet to be considered of and allowed by the ordinary, or his deputy. III. The inconvenience that is proposed is in most dioceses already met withal, by putting these conditions in the faculty; viz. that they have their governors' consent; that there is no suit for matrimony depending; no precontract, nor any other impediment, which the party is by a bond with sureties bound unto. So that by this means, this inconvenience is better met withal, than by asking the banns thrice; which may be done, and yet these impediments remain. IV. And since the bonds have been qualified as is above said, being about one twelvemonth past, experience doth teach, that none of the pretended inconveniences have happened.

A general answer to all the articles of excommunication, commutation, and dispensation.

Generally, This alteration, confusion, and abridgment of exercise of that jurisdiction will shortly decay the profession of the canon law, and civil law together. Whereby divers now are bred up in learning, in languages, in studies; so that they are enabled to serve the realm in any foreign service, as well as any one sort of learned men in the realm besides.

CI.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
JOH. WHITGIFT 2.	1585.	ELIZAB. 27.

Certain orders for the increase of learning in the unlearned sort of ministers.—E Libro Instrum. Episc. Lincoln. fol. 50, 51.

INPRIMIS, The order appointed in the preface of the common book, concerning the dayly readinge of publique prayer, shall be duly observed, to the end they may be the better acquainted with the phrase and histories of the scriptures.

Item, The ordinary of the place shall assigne unto such as are not maisters of art, or preachers, one chapter, att the least, of the Old and New Testament, every week, to be diligently studied upon by them in such sort, as they be able to make accompte of the principall contents thereof in Latten, and bring notes in Latten, collected out of the same.

Certain orders] These were evidently adopted as a substitute for the exercises called prophecyings, which had been prohibited by the queen. But it does not appear, nor is it probable, that they were adopted generally. It is clear that in the next year (1586) a less laborious kind of exercise was enjoined in the following order proposed by the archbishop and agreed upon in convocation; "Every minister having cure, and being under the degree of master of arts, and bachelor of civil law, and not licensed to be a public preacher, shall before the second day of February next provide a Bible and Bullinger's Decads in Latin or English, and a paper book, and shall every day read over one chapter of the holy scriptures, and note the principal contents thereof briefly in his paper booke, and shall every weeke read over one sermon in the said Decads, and note likewise the chief matters therein contained in the said paper; and shall once in every quarter (viz. within a fortnight before or after the end of the quarter) shewe his said note to some preacher nere adjoining to be assigned for that purpose." Wilkins, Conc. vol. iv. p. 321.

Item, The ordinary of the place shall likewise appoint unto them, every quarter of a yere, a common place of divinity, to be written upon in Latten by them, and to be travelled in so, as they be able to answer to the principal points thereof in Latten.

Item, Such as are not able to do these exercises in Latten, shall for the time performe them in Englishe, yet so as if in convenient time to be assigned unto them by the discretion of the ordinarie (having regard to their age and capacities) they do not perform them in Latten, or at least have good testimonie of their diligence in studie, they shall be proceeded against by ecclesiastical censures for their notorious negligence.

The ordinary shall examine himself, or by some learned preacher call them to accompte for their exercises every quarter, and shall examine them also att their synods and visitations, how they have profited; and such as shall be notoriously negligent, or wilfullie disobedient, shall be punished by the ordinary of the place, as the quality of his offence shall require.

CII.

Archiepisc. Cant. JOH WHITGIFT 2. | Anno Christi 1585. | Reg. Angliæ ELIZAB. 27.

Articles to be enquired upon in the visitation of the diocesse of Chichester, sede vacante, by the authority of the most reverend father in God John, archbishop of Cant. primate of all England, and metropolitan, as followeth.—Reg. I. Whitgift, fol. 116. b.

I. WHETHER your minister have used any other form or manner of publick prayers, administra-

Articles to be enquired upon] These articles shew the decision of the archbishop in all the points resisted at this time by the puritans, viz.

tion of sacramentes, or any other rites, ceremonies, or orders, than are prescribed by the book of common prayer; or hath he altered them, or any of them, how, and in what manner?

II. Whether doth he, or any other, take upon them to reade lectures, or preach, being mere lay persons, or not ordered according to the lawes of this realme[a], or not lawfully licensed; doth he or any other preachers, remayning in your parishes, at some times every yere, personallie, say the publick service and administer the holy communion himself, according to the said book of common prayer or noe; doth he, or any other, keepe any exercise of expoundinge, or reade any lecture in

the complete and unreserved use of the Book of Common Prayer, unconditional assent to all the 39 Articles, the having perfect orders, the abstaining from any religious exercises in private houses, or conventicles, and the use of the surplice and of clerical apparel. His general sentiments may be best expressed in his own words addressed to lord Burghley on the 26th of December, 1584: "He beseeched his lordship not to think that he stood so much in these matters for any other cause, than for conscience sake and duty to the church; knowing what was meant by these kind of dealings. That his lordship also knew, that her majesty loved not to hear of innovations; wherein she did, in his opinion, both graciously and wisely; especially seeing the laws and orders already established were such as could not justly be impeached. And that for his part, being persuaded and resolved in all points, as he was, he could not but confirm her highness therein, so much as in him lay; notwithstanding the hard opinions of some men concerning him." (Strype, Whitg. vol. i. p. 361.) The strict inquiries made at this time respecting Romanists were owing to the fears entertained of popish emissaries, and the designs that were believed to be formed against the life of the queen. Strype, Whitg. vol. i. p. 462. Ann. vol. iii. P. i. pp. 446. 481. Collier, vol. ii. p. 593. Neal, Purit. vol. i. p. 281. The see of Chichester became vacant by the death of bishop Curteis in Aug. 1582 (Strype says, in February 1584), and continued vacant till the end of the year 1585, when Dr. Bickley was elected. Le Neve, Fasti, p. 58.

[a] *not ordered according to the lawes of this realme*] This is one of the earliest declarations from authority against orders conveyed by pres-

private howses, whereunto other, besides those of that famylye, do resorte?

III. Whether upon Sabbath days, and holie dayes, doth your minister call for, and instructe the youth of his parish in the catechisme, and principles of Christian religion; and whether likewise, once every Sabbath day, put the churchwardens in mynde of ther duty, as well to note who absentes themselves from divine service, and upon the goodes and cattles of such to levye xii*d.* a peece for every default, to the use of the poor, as such also who unreverentlie there behave themselves; and whether do the churchwardens perform that duty accordinglie?

byters. Whittingham indeed, the dean of Durham, had as early as the year 1578 been called into question for the invalidity of his orders, which he had received at Geneva; and it is clear that archbishop Sandys saw the great danger of allowing such a precedent (Strype, Ann. vol. ii. P. ii. pp. 168. 622): but the matter was not at that time brought to a final issue. The question was revived in the year 1584 in the case of Travers; and he alleged in his favour not only the theological elements of the question (which seem to have been the only grounds taken in the case of Whittingham), but also the protection he had under the statute 13 Eliz. c. 12, which admitted other forms of ordination as well as the established form, on condition that the articles should be duly subscribed. His pleas and the archbishop's answers may be seen in Strype's Life of Whitgift (vol. iii. p. 182); and though when silenced by the archbishop he appealed to the privy council, and great endeavours were made in his behalf, the queen would not suffer the decision to be disturbed, and the archbishop's views respecting ordination from the hands of presbyters prevailed. It is evident however that these views were not uniformly acted upon: for archbishop Grindal in 1582 gave his license to John Morrison, who had been ordained by the hands of presbyters in Scotland, to preach and administer holy things throughout the province of Canterbury (Strype, Grind. p. 596); and lord Bacon in his Advertisement respecting the Controversies of the Church of England, (written probably about 1590,) says, "Yea and some indiscreet persons have been bold in open preaching to use dishonourable and derogatory speech and censure of the churches abroad; and that so far, as some of our men,

IV. Whether hath your minister used the form of thanksgiving after childebirth, for any woman unlawfullie begotten with child, otherwise then upon a sabbath day, or holy day, in time of publick prayer; and also with publick acknowlegment of her sinne, in such forme as the ordinarie has prescribed?

V. Whether doth your minister in public prayer time wear a surplesse, and go abroad apparelled, as by her majesties injunctions and advertisements prescribed; doth he privately exercise himself in godly prayer, and study, and with other convenient exercise for his vocation; doth he kepe any suspected woman in his house, resorte to any infamous houses, use any light-disposed company;

as I have heard, ordained in foreign parts have been pronounced to be no lawful ministers." (Works, vol. ii. p. 514.) It is certain also that instances may be given down to the time of the civil wars of foreigners holding preferment without episcopal ordination; but the act of uniformity (13 and 14 Charles II. c. 4.) made such ordination indispensable for the future.

Inseparably connected with the question of episcopal ordination was another tenet which could not fail to be brought into immediate discussion, the divine right of episcopacy as a superior order to that of presbyters. Up to this period it had been usual to consider bishops and priests as of the same order; but Dr. Bancroft in the well-known sermon preached by him on the 9th of Feb. 1589, maintained the superiority of bishops jure divino; and though lord Burghley and sir F. Knollys objected against it as interfering with the queen's supremacy, and the puritans were unanimously opposed to it, it appears to have been the prevailing doctrine of the church since that period, and to have been approved and sanctioned by the convocation in 1606. It received however its most complete acknowledgment in the time of archbishop Laud, and on the publication of bishop Hall's celebrated treatise, entitled, "Episcopacie by Divine right asserted." The part of Dr. Bancroft's sermon which bears upon the subject, and which Mr. Hallam appears to have overlooked (see Const. Hist. vol. i. p. 428), is to be found at p. 97 of the edition printed immediately after the delivery of the sermon. See N°. CXLIX. Strype, Whitg. vol. i. p. 559. Ann. vol. iii. P. ii. p. 98. Biog. Brit. art. Bancroft. Overal Convoc. Book, Canon 6, &c.

is he a swearer, gamester, common hunter or hawker, unsemely in apparel, or giveth any just occasion of offence, or evil example of life; is he probable suspected to have attained any spiritual living through any symonical compact, made by himself, or any other for him, eyther directly or indirectly; is he a common resorter to tavern or alehowses, or doth suffer any wine, ale, beere, or victual to be sold in his parsonage, or vicaridge house or no?

VI. Whether hath your minister, or any other whatsoever, spoken against any parte of the booke of common prayer, or against any of the articles agreed upon by the clergy of both the provinces anno MDLXII. in a synod holden at London; or defended any popery, or other erronious, seditious, or schismatical opinions?

VII. Whether are any in your parish suspected to reserve any monument of superstition or idolatrye, to resort to any masse. or other service disallowed, or to any popishe prieste for shrifte; or any in your parish suspected to receive into their houses, or companie, any jesuites, preists, seminary men, or other like fugitives disguised, or suspected persons, or to be reconciled to the church of Rome; are ther any which do not, according to the law, both resorte to divine service publickly in the church, and also communicate the holy sacrament as is required?

VIII. Whether doth any in your parish teach children publickly, or in any man's house privately; is such licensed by the ordinary; is he known to resorte to publick service, and to be of sound religion; doth he teach the catechism to his schollars, which was set out for that purpose; and doth he train up his schollars in knowledge of true religion now established, and in obedience to the prince or no?

IX. Whether are your hospitals and almeshouses used according to the foundation and ordinance of the same,

and such only placed in them as be most impotent and nedye; and whether legacies, and other sommes of money, given and set forth for such other good and godly uses, be employed according to the intent of the givers?

X. Whether have anie married within the forbidden degrees, consanguinitie or affinitie; any separated in that respect, do keep company still together; any lawfully married, which offensively live asunder, or which have married elsewhere; any man which has two wives, or woman two husbandes; are ther in your parish any incestuous, adulterous, or incontinent persons; any common drunkards, rybaldes, swearers, slanderers, uncharitable, sorcerers, charmers, usurers, or vehemently suspected of these or any of them?

XI. Whether any in your parish have departed this life, whose wills are not proved; doth any administer or intermedle with the deades goods, without authoritie from the ordinarie for the time being; hath any wills been proved, or administrations granted since the 27th of February last; what be their names and surnames, which offend against this or any other the aforesaid articles?

XII. Whether hath anie ordinary, register, clerke, or apparitor concealed, or winked at any offendor, presented, or commuted any publick satisfaction, or punishment for money, without most urgent cause, and publick testification in the church of the offenders repentance, or in such case hath not wholie imployed the same to godly uses; and whether hath any of them enacted excessive or unaccustomed fees in anie ecclesiastical matter whatsoever?

XIII. Whether is your minister a preacher; hath he any other living ecclesiastical; where doth he remayne, and abyde, for the most part; what is his living yerely worth by common estimation; and of whose patronage in

fee is such living; of what age and degree of scholes is he, as you have heard or do conjecture?

XIV. Whether hath any in your parish, being such as refuse to come to divine service, any children; of what age, where and with whom do they remain; have such, or any other, any children, kinsfolkes, or friends beyond the seas; did they depart with license; how long agone; and in what partes on the other syde of the sea do they remain, as you know, have heard or do conjecture; and what releife have they from any in your parish, or from any other within her majestys dominions?

XV. Generallie you shall, by the othe you have taken, make diligent inquisition and trewly present in writing not only the names and surnames of all, who have offended, are suspected, or are touched in anie of these articles, but also who have offended, or are suspected to have offended against any parte of the queens injunctions, or any ecclesiastical lawe of this realme.

CIII.

Archiepisc. Cant. Joh. Whitgift 3. | Anno Christi 1586. | Reg. Angliæ Elizab. 28.

A letter from the archbishop of Cant. to the bishop of Lincoln, concerning the admittance of unmeet persons into the ministry. — E Libro Instrument. Episc. Lincoln. fol. 73.

"SALUTEM in Christo." It hath plesed her majesty of late to signifie unto me, that she is informed little or no redresse at all to be concerning the admittaunce of unmeet men into the ministry, and suffering such as are dissolute in life to remain therein; giving unto me very straight charge to loke diligently unto it. And although I hope the information is not true, but

rather devised by some that can be contente to take occasion to seek the disgrace of the present estate of the clergy, and that for the time I satisfied her highness; yet for a more satisfaction therein, and for the better discharge of my duty, I do earnestly pray your lordship, with as much speed as you can, not only to certifie me of all those that you have admitted into any degree of the ministry, since the last convocation, together with their degrees and qualities; but also in like manner such as you have admitted to any benefice, or to serve any cure within your diocesse, since the last time. And further to send unto me the names, degrees, learning, and qualities of all the ministers within your diocesse, according to the canon of the articles agreed upon in the last convocation, entituled, "De inquisitione per episcopos ineunda;" desiring your lordship to loke diligently to the observing of all the said articles, which as yet you have not done, because I am not certified in many points according to the same. And assure yourself there are diligent inquisitors for those matters, who will not be silent, when occasion shall serve. Her majesty is very earnest to have them performed; and I would be lothe, for my creditts sake, that any defect should be found, when the matter shall come to further examination. I have sent your lordship herein enclosed a note of such counterfaite ministers, as I have learned to be abroad. I pray you have a special regard unto them, and if any of them happen to be within your diocesse, send them uppe to me, that I may take order with them accordingly. And so with my hearty commendation I committ your lordship to the tuition of Almighty God. From Croydon the 6th of September, MDLXXXVI.

Your loving brother in Christ,

JO. CANTUAR.

CIV.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Joh. Whitgift 3.	1586.	Elizab. 28.

The archbishop of Canterbury's license to bring in popish books—Strype's life of Whitgift, p. 269.

WHEREAS sundry books are from time to time set forth in the parts beyond seas by such as are addicted to the errors of popery; yet in many respects expedient to be had by some of the learned of this realm; containing also oftentimes matter in them against the state of this land, and slanderous unto it, and therefore no fit books to pass through every man's hand freely: in consideration whereof, I have tolerated Ascanius de Renialme, merchant bookseller, to bring into this realm from the parts beyond seas some few copies of every such sort of books, upon this condition only, that any of them be not shewed nor dispersed abroad, but first brought to me, or some other of her majesty's privy council, that so they may be delivered or directed to be delivered forth unto such persons only, as by us or some of us shall be thought most meet men, upon good considerations and purposes to have the reading and perusal of them. Given at Lambeth the...day of October MDLXXXVI. anno reg. Elizab. XXVIII.

The Archbishop of] Strype, Whitg. vol. i. p. 512. "One of the charges made by Dr. Rainolds at the Hampton Court conference was that unlawful and seditious books were circulated, whereby many young scholars and unsettled minds in both universities were corrupted and perverted; naming for one instance that book entitled 'De jure magistratus in subditos,' published by Ficlerus a papist, and applied against the queen for the pope. Bishop Bancroft answered that there was no such licentious divulging of those books as he imagined or complained of, and that none, except it were such as Dr. Rainolds (who were supposed to confute them), had liberty by authority to buy them," Barlow's Conference, 2d day.

CV

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Joh. Whitgift 4.	1587.	Elizab. 29.

A letter from the archbishop of Cant. to the bishop of Lincoln about Bibles in churches.—E Libro Instrument. episc. Lincoln. fol. 65.

WHEREAS I am credibly informed that divers, as well parish churches, as chapels of ease, are not

A letter from the] Archbishop Parker's translation, commonly called the Bishops' Bible, was first printed in folio in the year 1568 and in 4to in 1569; and it was ordered in the convocation of 1571 (Wilkins, Conc. vol. iv. p. 263) that copies should be provided by all dignitaries for their private houses, and by all church officers for the use of their cathedral and parish churches. It was republished several times in folio and once or twice in 4to before the year 1585, in which year were printed the two editions described by archbishop Whitgift in this letter as "extant and ready." During the same interval the Genevan translation had been republished at least fifteen times. The feeling in its favour seems to have been created by archbishop Grindal; for though it had not been reprinted for several years previously, five different editions of it made their appearance within two years after his removal from York to Canterbury. Notwithstanding this letter, it still continued throughout the reign of queen Elizabeth to be the more popular translation, and is computed to have been published by the queen's printers alone more than thirty times. Archbishop Whitgift, who in the year 1595 approved the Nine Lambeth Articles, cannot reasonably be supposed to have objected at this period to the Genevan translation from any supposed tendency it had to favour the peculiar opinions of Calvin. His objections doubtless were the following: that it was not the translation enjoined to be used by the authority of the church; and that many of the notes which accompanied it were adverse to the principles of government, civil as well as ecclesiastical, established in England. The original epistles dedicatory which were offensive to the queen had been omitted; but it still contained such notes as these; Exod. i. 19, "Their disobedience herein was lawful." Exod. x. 26, "The ministers of God ought not to yield one iota to the wicked as touching their charge." 2 Chron. xv. 16, "Herein he shewed that he lacked zeal;

sufficiently furnished with Bibles, but some have either none at all, or such as be torn and defaced, and yet not of the translation authorized by the synods of bishops: these are therefore to require you strictly in your visitations, or otherwise, to see that all and every the said churches and chapels in your diocese be provided of one Bible, or more, at your discretion, of the translation allowed as aforesaid, and one book of Common Prayer, as by the laws of this realm is appointed. And for the performance thereof, I have caused her highness's printer to imprint two volumes of the said translation of the Bible aforesaid, a bigger, and a less, the largest for such parishes as are of ability, and the lesser for chapels and very small parishes; both which are now extant and ready. And so I commit you to the tuition of Almighty God. From my house at Lambeth the 16th day of July, MDLXXXVII.

Your loving friend,

JO. CANTUAR.

for she ought to have died, both by the covenant at verse 13, and by the law of God: but he gave place to foolish pity." And Rev. ix. 3, where, under the word "locusts" are included not merely monks, friars, and cardinals, but also bishops, doctors, bachelors, and masters. It was owing to its evil reputation in this respect that at a subsequent period, during the conference at Hampton Court, king James pronounced it the worst of translations, adding that some of the notes annexed to it were "very partial, untrue, seditious, and savouring too much of dangerous and traitorous conceits." See Cotton's List of Bibles. Lewis, Hist. of Transl. p. 257, &c. 308. Neal, Purit. vol. i. p. 110. Strype, Whitg. vol. ii. p. 280. Collier, vol. ii. p. 504. Barlow's Conference, p. 45. Newcome's Hist. of Transl. p. 68. Todd's Vindic. App. No. 3. Wood's Ann. vol. ii. p. 312.

CVI.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Joh. Whitgift 5.	1588.	Elizab. 30.

Articles to be enquired of by the churchwardens and sworne men in the ordinary visitation of the lord archbishop of Cant. within the diocese of Sarum.—Reg. Whitgift, fol. 400. a.

I. INPRIMIS, Whether your church be void, and if it be, who gathereth the fruictes thereof; and if it be full, whether the incumbent hath any moe benefices then one; and whether he be a preacher, yea or noe; and what degree of schole he hath taken?

II. Item, Whether your minister doth reverently say service, and minister the sacraments according to the book of common prayers: and whether doth he use in his ministration the ornaments appointed by the lawes now in force?

III. Item, Whether have you in your church all things necessary for the common prayer, and due administration of the sacramentes, according to her majesties lawes and injunctions?

IV. Item, Whether have you had monethlie sermons in your parish church at the least, or noe; and whether are the homilies read, when there is no sermon?

V. Item, Whether any person, being not deacon at the least, is suffered to say service in your church, to minister the sacraments, or bury the dead; and whether doth any take upon him to preach, not being sufficiently licensed;

Articles to be enquired of] Strype, Whitg. vol. i. p. 549. The see of Sarum continued vacant for three years after the translation of bishop Piers in the year 1588 to the province of York. (Le Neve, Fasti, p. 260.) The same articles appear to have been employed by the archbishop in other visitations, as of Canterbury and Rochester, which he made about this time. Strype, Whitg. vol. i. p. 593.

and whether doth any use to preach, that doth not once in the year at least administer one of the sacraments?

VI. Item, Whether your parson or vicar be resident upon his benefice; and whether he be an incontinent person, or suspected thereof, or faulty of any other kind of lewdness?

VII. Item, Whether your parson, vicar or curate have publickly, or otherwise, spoken against the order or government of the church of England, or the book of common prayer, established by law?

VIII. Item, Whether your ministers used to pray for the quenes majestie, queen Elizabeth, by the title and style due to her majestie, appointed by the statutes of this realme, and her highness injunctions, and exhort the people to obedience to her highness, and other magistrates being in authority under her?

IX. Item, Whether your minister doth not openly in your church catechise such as be of convenient age, according to the ordres set forth in the book of common prayer?

X. Item, Whether all persons of convenient age doth not repaire to the church upon Sundays and holydaies, and receave the communion thrise yearly?

XI. Item, Whether you do know any persons, that withhold any church-stock, or hathe not made their accompts duly, according to the law, having byn churchwardens?

XII. Item, Whether you do know any common swearer, drunkarde or blasphemer, any symonical person, usurer, witch, conjurer, soothsayer, charmer, fornicator, adulterer, incestuous person, or any that harboreth incontinent persons, or any vehementlie suspected of any of those crimes?

XIII. Item, Whether you do know any scholemaster that doth teach within your parish without license of his ordinarie under his seal or no?

XIV. Item, Whether you do know in your parish any man that hath two wiefes living, or anie woman that hath two husbands living?

XV. Item, Whether you do know anie that doth obstinately defende papistrye, heresies, errors, or false doctrine?

XVI. Item, Whether do you know any person excommunicate in your parish, and whether any such doth repaire to the church?

XVII. Item, Whether your parish church or chauncell be ruinous or decayed, and by whose defaulte?

XVIII. Item, Whether you know any receivors of jesuites, seminaries, or massing priestes, or any other fugitive persons, or reconcyled to the church of Rome?

XIX. Item, Whether you knowe any that use conventycles, or meetings, for expounding scriptures, or saying of prayers in private houses or places?

XX. Item, Whether there be any hospitals, or almeshowses in your parish; and whether the same be used according to the foundations and ordinances thereof?

XXI. Item, Whether you knowe any person ordered by the law to do penance, or excommunicate for not doing the same, do still so continue unreformed?

XXII. Item, Whether you doe knowe any other matter worthey of presentment above not expressyd, yea or noe, which you shall likewise present by virtue of your oathes?

CVII.

Archiepisc. Cant. Joh. Whitgift 6. | Anno Christi 1588. | Reg. Angliæ Elizab. 30.

Orders agreed upon by the archbishopps and byshopps, etc. at the parliament MDLXXXVIII. *and commanded by her majestie exactlie and diligentlie to be observed and put in execution.*—E MS. col. Caj. Cantab. D. 37. fol. 170.

THAT all such as have one benefyce with cure shal be compelled by his ordinarie absolutely and continuallie to be resydent thereupon accordinge to the lawe, unlesse he be absent by occasion of residence in any cathedral churche, or of any service or attendance allowed by the statutes of this realme, in which cases he shall finde a sufficient preacher to be allowed by the byshoppe of the dioces, yf the lyvinge shal be thought to the byshoppe able to find a preacher.

Every incumbent of moe cured benefices then one by

Orders agreed upon] In every session of parliament for some time previously endeavours had been made by the commons to improve the state of the law respecting pluralities and nonresidence. On a memorable occasion in the year 1584 the archbishop, who was opposed to such a measure, pressed the following consideration in a letter which he wrote to the queen; "if it pass by parliament, it cannot hereafter but in parliament be altered, what necessity soever shall urge thereunto. .... Whereas if it is but as a canon from us by your majesty's authority, it may be observed or altered at your pleasure." (Strype, Whitg. vol. i. p. 391.) This was an appeal to some of the strongest prepossessions of the queen, and too powerful to be unsuccessful. In the session of 1588 a bill connected with church matters was brought, as in former instances, into the house of lords without effect, and the orders before us were considered a sufficient substitute, although very different from the severer provisions of the bill. Strype, Ann. vol. iii. P. ii. p. 53. Collier, vol. ii. pp. 595. 620. Conf. Strype, Whitg. vol. i. p. 539.

lawful dispensation, is to be compelled to be equallie resydent, or to have a sufficient preacher to be allowed by the byshoppe upon that benefice, from the which he shall happen to be absent, yf the lyvinge shall be thought to the byshoppe able to finde a preacher.

If any person having one or more benefyces with cure shal be absent from the same by color of his resydence in any cathedral church, or of the service of any prelate or nobleman, or woman; such a non-resydent that shal be absent by any such occasions by the space of 4. monthes in one yeare, shal be compelled (as before) to fynde such a sufficient preacher to supplye his absence as the bishoppe of the place shall allow of.

If any mynister havinge any lyvinge ecclesiastical in perpetuitie, or otherwise, shall so notoriously offend in anye great cryme, that he shall be justly offensyve and scandalous to his profession and calling, and thereby shal be unable to profytte the place where he offendeth, he is to be removed from suche his lyvinge, and not to be admytted after to serve any cure.

That noe mynister unlearned and not able to catechise shal be hereafter admytted to serve any cure And yf any such be incumbent of any benefyce alreadie, the byshoppe shall, and by the lawe maye appoynt unto him a coadjutor with a convenient stypend accordinge to the value of the benefyce.

That none be suffered to place or displace any curate without authoritie from the archbishoppe or byshoppe of the dyocesse, where such a cure lyethe.

CVIII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
JOH. WHITGIFT 6.	1588.	ELIZAB. 31.

A proclamation against certain seditious and schismatical books and libels, etc.—(Bodl. I. 2. 18. Med,)

By the queen.

THE queen's most excellent majesty considering how within these few years past, and now of late, certain seditious and evil disposed persons towards her majesty, and the government established for causes ecclesiastical within her majesty's dominions, have devised, written,

A proclamation against] The controversy between Whitgift and Cartwright which had grown out of "the Admonition to the Parliament," published in 1572, had ceased on the publication of Cartwright's second reply in the year 1577, and had been succeeded by other contests, whenever an eminent work had been written in favour of any of the three great parties, Conformists, Puritans, and Romanists, that express in general terms the different religious sentiments of this period. But in the year 1588 began a series of publications under the name of Martin Mar-Prelate, commonly ascribed to Penry, Udall, Field, and Throgmorton, which completely changed the character of religious controversy, and alienated some of their most constant and powerful friends from the cause of the nonconformists. The whole progress of puritanism, as connected with this matter, is well shewn in the following statement of secretary Walsingham, himself disposed originally to protect the puritans, but disgusted at last by the scurrilous publications and dangerous conspiracies in which many of the most worthless, but most active, of their party were engaged. "When they inveighed against such abuses in the church as pluralities, non-residence and the like, their zeal was not condemned, only their violence was sometimes censured. When they refused the use of some ceremonies and rites as superstitious, they were tolerated with much connivance and gentleness. Yea, when they called in question the superiority of bishops, and pretended to bring a democracy into the church, yet their propo-

printed, or caused to be seditiously and secretly published and dispersed sundry schismatical and seditious books, defamatory libels, and other fantastical writings amongst her majesty's subjects, containing in them doctrine very erroneous, and other matters notoriously untrue, and slanderous to the state, and against the godly reformation of religion and government ecclesiastical established by law, and so quietly of long time continued, and also against the persons of the bishops, and others placed in authority ecclesiastical under her highness, by her authority, in railing sort, and beyond the bounds of all good humanity: all which books, libels, and writings, tend by their scope to persuade and bring in a monstrous and apparent dangerous innovation within her dominions and countries, of all manner ecclesiastical government now in use, and to

sitions were heard, considered, and by contrary writings debated and discussed. Yet all this while it was perceived that their cause was dangerous and very popular. As, because papistry was odious, therefore it was ever in their mouths that they sought to purge the church from the relics of popery; a thing acceptable to the people, who love ever to run from one extreme to another. Because multitudes of rogues and poverty were an eye-sore and dislike to every man, therefore they put it into the people's heads that if discipline were plaintiff, there should be no beggars nor vagabonds; a thing very plausible. And in like manner they promise the people many other impossible wonders of their discipline. Besides, they opened the people a way to government by their consistory and presbytery; a thing, though in consequence no less prejudicial to the liberties of private men, than to the sovereignty of princes, yet in the first show very popular. Nevertheless this (except it were in some few that entered into extreme contempt) was borne with, because they pretended but in dutiful manner to make propositions, and to leave it to the providence of God and the authority of the magistrate. But now of late years, when there issued from them a colony of those that affirmed the consent of the magistrate was not to be attended; when under pretence of a confession to avoid slanders and imputations, they combined themselves by classes and subscriptions; when they descended in that vile and base means of defacing the government of the church by ridiculous pasquils. . . . . then it appeared to be no more zeal, no more conscience, but mere faction and division.

the abridging, or rather to the overthrow of her highness's lawful prerogative, allowed by God's law, and established by the laws of the realm, and consequently to reverse, dissolve, and set at liberty the present government of the church, and to make a dangerous change of the form of doctrine and use of divine service of God, and the ministration of the sacraments now also in use, with a rash and malicious purpose also to dissolve the estate of the prelacy, being one of the three ancient estates of this realm under her highness, whereof her majesty mindeth to have such a reverend regard, as to their places in the church and commonwealth appertaineth: all which said lewd and seditious practices, do directly tend to the manifest wilful breach of a great number of good laws and statutes of this realm; inconveniences nothing regarded by such innovations.

And therefore though the state was compelled to hold somewhat a harder hand to restrain them than before, yet it was with as great moderation as the peace of the church and state could permit." Collier, vol. ii. p. 608. Comp. Hooker, Ecc. Pol. Pref. p. 181; and lord Bacon, Works, vol. ii. p. 513.

It would have been well if these pamphlets had always been answered in the sober and rational spirit of bishop Cooper in his "Admonition to the people of England;" of whom lord Bacon remarks, "I do much esteem the wisdom and religion of that bishop which replied to the first pamphlet of this kind; who remembered that a fool was to be answered, but not by becoming like unto him, and considered the matter which he handled, and not the person with whom he dealt." Advertisem. on Ch. Controvers. Works, vol. ii. p. 503.

This proclamation bears date Feb. 13, 1589, according to our common computation, and it is worthy of notice that on the 9th of the same month Dr. Bancroft, then chaplain to the lord chancellor and afterwards archbishop of Canterbury, preached his well-known sermon at Paul's Cross, which may be considered as the origin of other important measures besides the issuing of this proclamation. Strype, Ann. vol. iii. P. ii. p. 70. Whitgift, vol. i. p. 549. Wood's Ann. vol. i. p. 591. Collier, vol. ii. p. 609. Neal's Purit. vol. i. p. 326. Biog. Brit. art. Bancroft, &c. Bancroft's Dangerous Positions, b. 2. c. 3–14, Hallam, Const. Hist. vol. i. p. 220.

In consideration whereof, her highness graciously minding to provide some good and speedy remedy to withstand such notable dangerous and ungodly attempts, and for that purpose to have such enormous malefactors discovered and condignly punished, doth signify this her highness's misliking and indignation of such dangerous and wicked enterprises; and for that purpose doth hereby will and also straitly charge and command, that all persons whatsoever, within any her majesty's realms and dominions, who have or hereafter shall have any of the said seditious books, pamphlets, libels or writings, or any of like nature already published, or hereafter to be published, in his or their custody, containing such matters as above are mentioned, against the present order and government of the church of England, or the lawful ministers thereof, or against the rites and ceremonies used in the church, and allowed by the laws of the realm; that they, and every of them do presently after, with convenient speed, bring in, and deliver up the same unto the ordinary of the diocese, or of the place where they inhabit, to the intent they may be utterly defaced by the said ordinary, or otherwise used by them. And that from henceforth no person or persons whatsoever be so hardy as to write, contrive, print, or cause to be published or distributed, or to keep any of the same, or any other books, libels, or writings of like nature and quality, contrary to the true meaning and intent of this her majesty's proclamation. And likewise, that no man hereafter give any instruction, direction, favour or assistance to the contriving, writing, printing, publishing, or dispersing of the same, or such like books, libels, or writings whatsoever, as they tender her majesty's good favour, will avoid her high displeasure, and as they will answer for the contrary at their uttermost perils; and upon such further pains and penalties, as by the law any way may be inflicted upon the offenders, in any of these behalfs, as

persons maintaining such seditious actions, which her majesty mindeth to have severally executed. And if any person have had knowledge of the authors, writers, printers or dispersers thereof, that shall within one month after the publication hereof discover the same to the ordinary of the place, where he had such knowledge, or to any of her majesty's privy council; the same person shall not for his former concealment be hereafter molested or troubled. Given at her majesty's palace of Westminster, the 13th of February, MDLXXXVIII. in the 31st year of her highness's reign.

God save the queen.

CIX.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
JOH. WHITGIFT 8.	1591.	ELIZAB. 33.

The archbishop's letter for catechising and confirming.
Reg. I. Whitgift, fol. 181. a.

AFTER my very hartie commendations. Your lordship is not ignorant, that a great parte of the dissolutenes in manners and ignorance in the common sorte, that raigneth in most partes of this realme, even in this clear light of the gospell otherwise, ariseth hereof, for that the yowthe (being as it were the frie and seaminarie of the church and commonwealth) through negligence both of natural and spiritual fathers, are not (as were meete) trayned up in the chief and neacessarye principells of Christian religion, wherby they might learn their duty to God, to their prince, their countrie, and their neighbours, especially in their tender yeres, when these things might best be planted in them, and would

The archbishop's letter] Strype, Whitg. vol. ii. p. 106. Comp. Nos. CXXXII. CLV.

become most hardly to be afterward removed. This mischief might well (in myne opinion) be redressed, if that, which in this behalf hath been wisely and godlie provided, were as carefullie called on, and executed, namely, by catechisinge and instructing in churches of yowthes, of both sexes, on the Sabbath daies, and holy daies, in afternoones, and that (if it may be convenientlie) before their parents, and others of the several parishes, who therby may take comforte and instruction alsoe. One great inducement unto the learning of the rudimentes of religion hath hertofore ben observed to be, that chardge, which by the book of Common Prayer every minister should give after baptizing the infantes, to have them (soe sone as they maye learne) instructed in the catechisme, and having learned it, to be broughte to the bisshoppe to be confirmed; which gyvinge chardge I do heare is for the most parte omitted. This auntient and laudable ceremonie of confirminge children, in respect of a carefullnes in fathers to have their children instructed, that afterwards they might be confirmed, hath herétofore wrought much good, where yt was used; I am very sorrye to hear that my brethren the bishops of my province of Canterbury doe so generally begin to neglect to confirm children, at least to call for, and exact the use both of it and of catechising children in the church by the minister, and of parents to send their children, and to come thither themselves. These wantes are now grown so common and offensive by the ill effects, which they are found to yeld, that I am in conscience urged verie earnestlie, and in the fear of God, to require your lordship and other my brethrene the bisshops, according to your pastoral care, and for the duty which you owe to God and his church, both in your own visitations, from time to time, and by your archdeacons, and other ecclesiastical officers, to give straite chardge unto parentes to come themselves, or at least to send their children to the

church at such times, and especially unto ministers to expounde unto them, and to examine the children in that little catechisme, which is allowed by authoritie; and also at the baptizing of infants to give that charge for bringing them unto the bishop to be confirmed, which by the book of Common Prayer is prescribed. And I do also hereby require at your lordships handes to geve warning to the ministers of your dioces, that they cause such children of their parish onely, that can say the catechisme, to be brought from tyme to time unto your lordship to be confirmed, not only when you visite triennallye, but also at other fit opportunities for such a purpose; as namely when you travel abroade in the dioces to preach, and on markett daies, when you reside and make your abode in any markett town, whither the people of parishes thereabouts do usually resorte. Thus nothing doubting of your lordships forwardness and care herein, I commend you to Gods holy protection. From Croydon the ..... of Septembre M.D.XCI. your loving freind and brother.

CX.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
JOH. WHITGIFT II.	1593.	ELIZAB. 36.

Archbishop's letter for contributions towards converted preists.—Reg. II. Whitgift, fol. 106. a.

"SALUTEM in Christo." Amonge such priestes as come over from beyond the seas to pervert her majesties subjects both in religion and obedience, yt

Archbishop's letter] "Antony Tyrrel and William Tedder, priests, both recanted at Paul's Cross in the month of December 1588; and many more afterwards. Contributions for the maintenance of these converted priests were expected from the bishops and the abler sort of the clergy." Strype, Whitg. vol. ii. p. 155.

pleaseth God, by conference and other good meanes, to convert some to the truth, to whome also it pleaseth her majestie of her gracious goodness to graunt pardon; and forasmuch as diverse of them, being pardoned, are altogether destitute of maintenance, and driven to great extremitie through the same, (a great temptation for them to revolt, and a discouragement for others to followe their example of conversion, and a slander to the state,) I am moved with Christian pity and compassion, to pray your lordship to move the better and wealthier sorte of the clergie within your dioces, to yelde some contribution towards their releif, untill they may be otherwise provided for (as some of them are) and the same contribution to send unto me, with as convenient expedition as you may. Our adversaries plentifully rewarde and maintaine such as flye from us to them; and their preistes, whilest they remayned papistes, lacked nothing; a great want of charity therefore, and shame it were for us, after their conversion, to suffer them to begge or else to dye, or to revoult for lack. If it were not for one or two, some of them had ben in that case ere nowe, who being no longer able to indure that charge, the poore sowles shal be driven to the before named extremities, without your charitable relief. The burden will be very easie divided among soe manye, which otherwise is importable to such as do now sustayn yt, and therefore I hartelie pray you to have good consideration hereof, and to deale in this case as you would be dealt with in the like; and soe with my verye hartie commendations I committ you to the tuition of Almighty God. From Lambeth the 9th of December M.D.XCIII.

Your lordship's loving brother in Christ.

CXI.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Joh. Whitgift II.	1594.	Elizab. 36.

The councill's letter and instructions to the archbishop of Canterbury about recusants.—Reg. II. Whitgift, fol. 113. a.

AFTER our hartie commendations to your lordship and the rest. Whereas it is crediblie enformed, that there be sundry men's wives dwellinge within the

The councill's letter] The statute 23 Eliz. c. 1. entitled "An act to retain the queen's majesty's subjects in their due obedience" (see No. XCV.) was followed by the statute 29 Eliz. c. 6. "for the more speedy and due execution of certain branches of it," and in the year 1594, by the statutes 35 Eliz. cc. 1 and 2 which imposed severe penalties upon recusants and nonconformists. The first of them (c. 1.) enacted, that any persons obstinately refusing to come to church should be committed to prison, and there remain without bail or mainprise; and if not conforming within three months thereafter, should depart the realm; and if found afterwards therein, should be guilty of felony without benefit of clergy. The second (c. 2.) confined recusants within five miles of their place of residence. Wives were bound by the provisions of this statute as well as husbands, with the exception of abjuration of the realm; it having been found, according to a well known principle, that women, in a greater degree than men, were faithful in their adherence to the old religion. For the full enforcement of these acts, at a time of peculiar danger, the authorities of the church were required by this order of council to furnish information.

Puritans as well as Romanists were included under the penalties of the first statute, the queen having, as formerly, strictly forbidden the commons to exercise any judgment of their own in matters appertaining to the church. One important consequence of this change in the law was, that cases of nonconformity were henceforward frequently tried before the judges of assize, instead of being taken before the queen's commissioners. See Stat. at large. Strype, Ann. vol. iv. p. 367. Burn, Ecc. Law, vol. iii. p. 171. Hume, Hist. vol. v. p. 367. Hallam, Const. Hist. vol. i. p. 175. Lingard, vol. v. p. 513.

dioces of Cant. that refuse to come to the church; and that sundrie persons do entertayne, keepe, and releive servants, and others that be recusants, contrarye to the statute made in the last parliament; sithence which time it is likewise notified unto us, that many have shewed themselves rather more obstinate in divers parts of this realme in matter of religion, then anie waies more tractable or conformable; forasmuch as this matter doth verye much importe the true service of God, and the estate of her majestie and her realm, and therefore ought with the greater care and diligence to be looked into; we have therefore thought it expedient to send your lordship in a schedule here inclosed, certeine notes and directions for the more exact and orderly proceeding herein, subscribed by us and the clarke of the counsell, and do verie earnestlie require your lordship, etc. with all convenient expedition, to cause diligent enquirie to be made of all wyves, servants, and other recusants, within your lordships dioces and jurisdiction, according to the orders and directions prescribed in the said schedule, and to make perfect certificate thereof forthwith to us. So not doubtinge, but your lordship will have that regarde to the due execution herof, as apperteyneth, and as her majestie and our selves do expect, we byd your lordship, etc. verye hartelie farewell. From the court at Windesore castle the 26th of August, M.D.XCIV.

Your lordships etc. verye loving frendes,

Joh. Puckering, C.S. T. Buckhurst.
W. Burghley. J. Wolley.
Essex. J. Fortescue.
C. Howard.

To our very good lorde, the lord archbishop of Cant. and to our loving frends the deane, ordinarie, and officialls of that diocess.

Notes and directions to be observed by the lord archbishop, deane, ordinarie, and officers of the diocess of Cant. in their enquiry after wyves and servants, recusants, etc.

THEY shall first cause diligent inquisition to be made in everye parish, what wyves be recusants, and shall certifie the names, and dwelling places of the husband and wief, and the condition and state of the husband, videlicet knight, esquire, gentleman, etc. They shall cause also enquirie to be made, who kepe or releeve any servants, or others, that be recusants within their families, or under their commandment, contrary to the statute the xxxvth of her majesties reigne; and for the better knowledge thereof, they shall take strict order, that curates, churchwardens, or sydemen of every parishe do make request to every householder, man or woman, in her majesties name, keeping any number of servants, men or women, above the number of ten, to notifie the names of all the said servants; and all the names so delyvered and put in writing, the said curate, churchwarden, or sydeman shall expresly require every the said servants to resorte to the church, according to the lawe, and of the time of this request to keep a note in writing; likewise after a moneth next after such request the curate or churchwardens shall give notice to every one, that keepeth or releeveth any such servante, or other recusante, and hath not come to any parish church, or to usual place of common prayer to hear divine service, but hath forborne the same for the space of a month, before such notice given, without any reasonable cause. And the order, which the said curate shall use in his admonition, hereafter followeth: I A. B., curate of the parish of C., doe give notice unto J. S. that the servant of R. N. doth obstinately refuse to come to any church, chappel, or usual

place of common prayer, to hear divine service, and hath forborne the same by the space of a month together last past, contrary to the lawes and statutes of this realm.

Jo. Puckering, C. S. Ro. Cecyll.
W. Burghley. Jo. Wolley.
Essex. A. Achley.
T. Buckhurst.

CXII.

Archiepisc. Cant. Anno Christi Reg. Angliæ
Joh. Whitgift 12. 1595. Elizab. 37.

Articuli Lambethani compositi ab archiep. Cantuar. Rich. Fletcher, episc. London. Ric. Vaughan, Bangor. episc. Humphr. Tyndall, decano Elien. Doct. Whitaker, regio professore Cantabrig.—Ex Fuller. Eccles. Hist. l. ix. p. 230.

I. DEUS ab æterno prædestinavit quosdam ad vitam, quosdam reprobavit ad mortem.

Articuli Lambethani] The predestinarian questions attracted attention in England at an early period after they had been brought into discussion by Calvin. His "Institutio Christianæ religionis" was first printed at Basil in the year 1536, but did not become well known till after the year 1545, when it was printed at Geneva. The English reformers were too much occupied with preliminary matters during the reign of Henry VIII. and the earlier years of Edward VI. to arrive at speculations so far advanced as those of Calvin; but they had certainly attracted notice and made converts in England as early as the year 1552. Before the end of that year the second service book of king Edward was in general use throughout the kingdom, and men of a speculative turn of mind were thereby set at liberty from their past discussions to enter into new fields of controversy. It was at that time (Sept. 9, 1552) that Traheron, who was afterwards distinguished as an interpreter of the scriptures, wrote to Bullinger, informing him that many Englishmen had adopted the opinions of Calvin, and asking for the judgment of the church at Zurich on the important points at issue. On the 3rd of

II. Causa movens aut efficiens prædestinationis ad vitam non est provisio fidei, aut perseverantiæ, aut bonorum operum, aut ullius rei, quæ insit in personis prædestinatis; sed sola voluntas beneplaciti Dei.

III. Prædestinatorum præfinitus et certus est numerus, qui nec augeri nec minui potest.

IV Qui non sunt prædestinati ad salutem, necessario propter peccata sua damnabuntur.

V. Vera, viva, et justificans fides et Spiritus Dei justificantis non extinguitur, non excidit, non evanescit in electis, aut finaliter aut totaliter.

VI. Homo vere fidelis, id est, fide justificante præditus, certus est plerophoria fidei de remissione peccatorum suorum, et salute sempiterna sua per Christum.

March following Bullinger answered at some length "de providentia Dei, ejusque prædestinatione electione ac reprobatione, deque libero arbitrio, et quod Deus non sit auctor peccati," stating expressly in what respects he objected to the propositions of Calvin. Traheron replied on the 3rd of June to this effect; "In prædestinationis doctrina non per omnia cum Bullingero consentit. Caveat Bullingerus nequid hujus causa dissidii inter Calvinum et ipsum excitetur." (Hess, Catal. vol. ii. pp. 62. 67. 75.) It is clear then without the mention of other evidence, that Calvinism, though probably in its sublapsarian and milder form, was known and embraced in England during the reign of Edward VI. It would appear indeed on examination that the church generally was not of sufficient growth and developement for such inquiries; and that it was rather the spirit of speculation, than any express opinion, which was condemned by the authorities of those times. "In these matters," said bishop Ridley at a subsequent period, "I am so fearful that I dare not speak further, yea almost none otherwise than the text doth, as it were, lead me by the hand;" and again, "Sudden changes without substantial and necessary cause, and the heady setting forth of extremities, I did never love." (Abp. Laurence, Authent. Docum. pp. xxxv. xliii. Martyrs' Letters, p. 41.) The next occasion for calling attention to this controversy in England was during the reign of queen Mary, when Bradford drew up a treatise in favour of sublapsarian opinions (dated Oct. 22, 1554), and sent it to Cranmer, Ridley, and Latimer in Oxford, stating at the same time that his fellow prisoners agreed with him in his views, and would openly signify their agreement,

VII. Gratia salutaris non tribuitur, non communicatur, non conceditur universis hominibus, qua servari possint, si velint.

VIII. Nemo potest venire ad Christum, nisi datum ei fuerit, et nisi pater eum traxerit; et omnes homines non trahuntur a patre, ut veniant ad filium.

IX. Non est positum in arbitrio aut potestate uniuscujusque hominis servari.

Matthew Hutton, archbishop of York, did concur in his judgment with these divines, as appears by his letter:

Accepi jampridem literas tuas, reverendissime præsul, veteris illius benevolentiæ, et amoris erga me tui plenas;

if those three reformers would set them the example. (See Trewe's Narrative, Authent. Docum. p. 37.) During the reign of Elizabeth there is abundant evidence of the existence of Calvinistic opinions to a great extent and in their more aggravated forms. Not to dwell on the extreme popularity of the Genevan version of the Bible and its notes, (see N°. CV.) which though not thoroughly Calvinistic, are frequently tinged with the theology of that school, (as for instance, 1 Tim. iv. 10. Heb. x. 38. 1 Pet. ii. 8,) it must be observed that portions of the version were very frequently printed at this period (between 1570 and 1610) with the commentaries of Calvin as accompaniments, and that Beza's Latin Testament was translated into English in the year 1576, under the patronage of secretary Walsingham, and appeared in several editions afterwards. From the year 1582, a catechism asserting the doctrine of absolute election and reprobation was attached to many of the editions of the English Bible, and as it was not removed from Bibles of the authorized translation till the year 1615, is a sufficient token of the feeling entertained on the subject, both among general readers, and in places of authority. (Strype, Ann. vol. iii. P. i. p. 226. P. ii. p. 238.) It was natural that those many persons of restless and ambitious minds, who adhered to the discipline of Geneva, should contract a partiality for its doctrines; but after the discussions connected with the nature of the eucharist were at an end, there were other causes also, such as the love of abstract speculation, and the severe temper of the times, which would call forth less worldly-minded champions into the field of controversy, and predispose them for the ranks of Calvinism. Even

in quibus efflagitas opinionem meam de articulis quibusdam nuper Cantabrigiæ agitatis, non sine aliqua piorum offensione, qui graviter molesteque ferunt matrem academiam, jam multitudine liberorum et quidem doctissimorum florentem, ea dissentione filiorum nonnihil contristatam esse. Sed fieri non potest, quin veniant offendicula, neque desinet inimicus homo inter triticum zizania seminare, donec eum Dominus sub pedibus contriverit. Legi articulos et relegi, et dum pararem aliquid de singulis

Hooker, the admirable defender of the church of England, had contracted many of the strong opinions of his favourite author St. Augustin, and though he gradually abandoned some of them, he seems at all times to have retained the doctrine of the indefectibility of grace. (Keble's Preface, p. ci. Comp. Wordsw. Eccl. Biog. vol. v. p. 478. note. Wood's Ann. vol. ii. p. 241.)

Common as such persons were elsewhere, they seem to have been most distinguished in the university of Cambridge. A sermon *ad clerum*, preached there in the year 1595, against the Calvinistic points, led to judicial measures, which in their consequences induced the heads of the university to appeal to the archbishop against the preacher, entreating his grace at the same time to prevent any such discussions for the future, by requiring exact conformity of doctrine. The nine Lambeth articles were framed in consequence, and were sent down to Cambridge with a strict injunction, that the members of the university should regulate their judgments according to that model. The queen was greatly displeased with the publication of these articles, and seems to have threatened the archbishop with the punishment of a præmunire, until she was informed that they were not designed to be taken as canons or decrees of the church, but merely as articles of peace and private judgment. Nevertheless, although she appeared to be pacified, she ordered that they should be recalled and suppressed. If it seem surprising that the archbishop should have so exposed himself to the displeasure of his royal mistress, we must remember that he only declared what had for some time been the prevailing belief of the church, and that the successor to the throne, now not far from the actual occupation of it, had hitherto always expressed himself in favour of Calvinistic opinions. Strype, Whitg. vol. ii. pp. 228–282. vol. iv. p. 320. Collier, vol. ii. p. 664. Neal, Purit. vol. i. p. 368. Walchii, Bibl. Theol. vol. i. p. 212. Cotton's List of Bibles, p. 17, &c. Abp. Laurence, Bamp. Lect. Hallam, vol. i. p. 434. Lingard, vol. vi. p. 20.

dicere, visum est mihi multo potius de ipsa electione et reprobatione (unde illa dissentio orta esse videtur) meam sententiam et opinionem paucis verbis explicare, quam singulis singillatim respondens, fratrum forsitan quorundam animas (quos in veritate diligo) exacerbare. Meminisse potes, ornatissime antistes, cum Cantabrigiæ una essemus, et sacras literas in scholis publicis interpretaremur, eandem regulam secuti, eam semper fuisse inter nos consensionem in omnibus religionis causis, ut ne minima quidem vel dissentionis, vel simultatis suspicio unquam appareret. Igitur hoc tempore, si judicio dominationis tuæ, id, quod pingui Minerva scripsi, probatum iri intellexero, multo mihi minus displicebo. Deus te diutissime servet incolumem, ut tum reginæ serenissimæ et toti regno fidelissimus consiliarius, tum etiam ecclesiæ huic nostræ Anglicanæ pastor utilissimus multos adhuc annos esse possis. Vale: e musæo meo apud Bishop-thorp calend. Octob. anno Domini M.D.XCV.

CXIII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
JOH. WHITGIFT 13.	1596.	ELIZAB. 38.

Archbishop's letter for admonition for preachers.—Reg. II. Whitgift, fol. 145.

"SALUTEM in Christo." Upon advertisement out of all partes of the realme of the dearth of all manner

Archbishop's letter] The scarcity which gave occasion to this and the following letter is prominently noticed by contemporaneous writers. The following extract from a report made to the lord treasurer from the county of Somerset between the dates of the two letters (Sep. 25, 1596) will explain what is meant by the wastefulness of public houses. "The corn that is wastefully spent and consumed in alehouses by the lewd wandering people will find the greatest part of the poor . . . . It falleth out by experience that the alehouses of this land consume the

of grayne, and that in moste parte of the realme the pryses therof are excessively risen; her majestie, considered how the same is inhansed, especiallie within these two or three months, doth impute the fault thereof aswell to the covetous disposition of the farmers and engrossers of corne, that seeke all excessive and ungodly lucre by hording up of corn, and making more scarcyty then there is, and in some part to the neglect of the execution of such good orders, as have been devised for the due serving of the markets, and avoiding these abuses that are practized by covetous persons to inhanse the prises of corne; her majestie therefore, of the princely care she hath of the porer sorte of the people, doth consider, that they having these two last yeres suffered great penurie and hardnes by the dearth of corne and other victualls, whereby they have spent that little they had, should now by raysing of prises of corn to so great rates be driven to very great misery and extremitie, if order should not be taken to redresse, as much as may be, these inconveniencies, hath, of her most princely care she hath of her loving subjects, published a proclamation, and commanded the lordes and others of her majesties most honorable privy councell, in her name, to recommend by these lettres earnestly the execution of those orders, that were set forth the last yere to the sheriffs and justices of peace in the several counties of the realme; who if they shall perform their duties to see

greatest part of the barley: for upon a survey taken of the alehouses only of the town of Wells, leaving out the taverns and inns, it appeareth by their own confessions, that they spent this last year 12,000 bushels of barley malt; which would have afforded to every market in this shire 10 bushels weekly, and would have satisfied a great part of the poor. A great part whereof is consumed by these wandering people: who being reduced to conformity, corn no doubt will be much more plentiful." Strype, Ann. vol. iv. p. 409. Stowe, pp. 741. 768. 782. Peck's Desid. Cur. vol. i. b. 5. p. 12.

the same observed, according to her majesties earnest desire, and as they ought to doe, there is good hope that there will be that plentie found in the realme, as may conveniently serve the land at reasonable prises: howbeit forasmuch as this covetouse humor doth growe chiefly by want of that christian charity, which men ought to have, and for that alsoe of all other kinde of lucre that is most ungodly, that is gotten by pinching and starving of the poore people; it is most fit and necessarie that the preachers should generally in their sermons admonish the farmers, and owners of corne, of this dishonest and unchristian kinde of seeking gain by oppression of their poor neighbours, and recommend to the richer sorte keeping of hospitality, for the relief of the poore; and likewise that howsekeepers being of wealth would be content in their own diet to avoid excesse, and to use fewer dishes of meate in this time of dearth, and to forbeare to have suppers in their howses on Wednesdaies, Frydaies, and fastinge daies, whereby much might be spared, that would be better bestowed a great deale on the relief of the poor; and in like manner to admonishe gentlemen and others of meaner sorte, that keepe kennel of howndes, that they shold better to forbeare the keeping of dogges in theis tymes of dearth, and to convert that they spend superfluously that way, to the relief of the poorer sorte; and in no case to forget to reprove that untollerable excesse of eatinge and drinking, that is commonly used in alehouses, and other like places of common resort. Theis and other such like exhortations I earnestly pray and require your lordship, in her majesties name, to recommend to the preachers and ministers of your diocess, to be used with all earnestness and discretion, and alsoe that your lordship give order, that such as are beneficed reside upon their benefices, to give good example to others in using hospitalitie, almes, and relieving of the poor neighbours; and that such as doe

not reside upon their benefices, give order to their farmers, that dwell upon them, to keepe howse therein, whereby the poor may be relieved: whereof, and of all the premises I doubt not but that you will have a due and special care. And soe I committ you to the tuition of Almighty God. From Croydon, the 10th of August, M.D.XCVI.

CXIV.

Archiepisc. Cant. Joh. Whitgift 14. | Anno Christi 1596. | Reg. Angliæ Elizab. 39.

The archbishop's letter to the bishop of London concerning fasting and prayers.—Reg. II. Whitgift, fol. 149. a.

AFTER my hartie commendations to your lordship. Amongest all our sins, whereby we have provoked God justlie to plague us with this dearth and scarcitye, it is to be thought that none have been more forceable therunto, then our excesse and riot in diet, and the wastefull consuminge of his owne creatures; for supply of which present scarcitie towardes the poorer sorte, the quenes majestie hath every way shewed a most princely care, and gracious tender affection, not only by causing the marketts to be duly served, and greate store of graine to be provided from forraine partes freely, without paying any custome; but alsoe a most virtuous and godly soveraign daylye studieth to quallify the mischief by taking away the cause of yt. Therefore for redresse of that abuse, and prevention of further punishment by like scarcity, her majestie hath straightly commanded me to signifie by my lettres, that it is her highnes expresse pleasure and absolute commandment, that publique prayers, according to the book of Common Prayer, in every several parish church and chappel, be on all Wednesdaies and Frydaies hereafter devoutly used, and

diligently frequented; that such as be of better abilitie doe in the fear of God use a greater moderation then hertofore in their dyet; but namely, that by none, of what degree soever, anie fleshe be dressed or eaten on such daies, as by law stand already prohibited, other then such as by reason of infirmity be lawfully thereunto licensed; and that not only on Fridaies, and other daies by lawe already appointed for fasting daies, noe suppers at all be provided and taken by anie, either for themselves or housholde, but alsoe that every one not letted by greevous weaknes, do abstain from suppers altogether on each Wednesdaie at night, to the intent that what is by forbearance of that meale, and at other meales, by abstinency from all superfluous fare fruitfully spared, may presently, especially by the wealthier sorte, be charitablie converted to the relief and comfort of the poor and needie; so as notice therof may be taken, according to her majesties gracious expectation, at the handes of all such her dutifull subjectes, as be respective of her royal commandments. In this behalf your lordship is alsoe to geve special order, that the collections for the poore in every parish may be carefully made, and in respect of the great want charitablie by those, who be of good abilitie, increased, and duely and seasonably bestowed for the succour of the most distressed. It is further likewise required by her majestie, that those, which have housholds, do not for sparing, dischardge anie of their houshold to shift for themselves, nor themselves to sojorne from their usual habitation. And because the example of ecclesiastical persons may induce men, as well as their teaching in this behalf; all such as have benefices must be enjoyned to reside on their livings, to keep hospitality, and releive their neighbours; and such as have pluralities, in conscience ought to do the like by their farmers, and such as rent their livinges at their handes; but there must a verie watchful eye be carried

by the minister and churchwardens in every parish, or by such charitable discreet men, as they shall nominate and appoint, unto all inns, taverns, and victualing howses, how both the keepers of them with their howsholde, and alsoe the gesse and resorters to their howses do observe theis her majesties commandments. Now for the better publishing her highnes gracious pleasure in the premises, your lordship must take precise order, that every minister in the dioces do diligentlie recommend the observation of them unto the people in their several charges, and also do from tyme to tyme, in their sermons and exhortations, earnestlie and pythelie exhorte and stir up every of them to fervent prayer, both publique and private, to abstinencye, fasting, true humiliation, to forbeare all excesse, to releive the poore and needy by good howsekeeping, by setting them on worke, and by other deeds of almes and brotherlye compassion. And considering the most princely and gratious care her majesty hath for their relief, and that all good meanes should be used for the succour and help of them in theis tyme of dearth; the people must be duly taught to endure this scarcity with patience, and especiallie to beware how they geve eare to any perswasions or practises of discontented and idle brains, to move them to repine or swarve from the humble duties of good subjects, to the further offence of God, and discontenting of her majestie, that hath so tender a care of their welfare. And for that her majestie would be enformed, how duely these orders shall be observed, as her special care is they should; your lordship is therefore to procure a certificate, to be made unto you monthlie, by every the ministers and churchwardens, conteyning as well the names of disobedient delinquents in anie the premises, as of those welldisposed persons, who have had a dutiful regard of her majesties commandment, and a charitable compassion for the relief of the poore; to the intent that once every quarter the said certificates

being transmitted over unto me, I may satisfie her majesties gracious expectation, touching the successe and fruicte arising by theis godly orders: but your lordship is to forsee and to geve special direction, that the prescript of these letters be in every several parish observed, without calling or suffering persons of other parishes to assemble themselves, as some hertofore offensively of their own heads have attempted, under colour of general fastes. And thus I committ your lordship to Gods holye protection. From Lambehith this 27th of December, M.D.XCVI.

Your lordships loving brother in Christ.

CXV.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Joh. Whitgift 20.	1603.	Jacob. I. 1.

The council's letter to the archbishop of Canterbury about celebrating the 5th of August yearly.—Ibid. fol. 151. a.

AFTER our very hearty commendations to your lordship. As it pleased God many ways to bless our sovereign lord the king, before his coming to this kingdom, and when he was possessed only of the realm of Scotland, (whereby it appeareth that the divine providence reserved him for the happy government of this state, and (as it is not to be doubted) for the perpetual establishment of peace and tranquillity amongst us,) so, forasmuch as by his succession to this crown we are now made partakers of the same blessings, and of the benefit thereof proceeding equally with his subjects of the Scottish nation, it is

The council's letter] Strype, Whitg. vol. ii. p. 472. Collier, vol. ii. p. 663. Spotswood's Ch. of Scotl. p. 461. Wood's Ann. vol. ii. p. 283.

very meet, that in equal degree and measure with them, we should in all respects shew our gladness, and thankful acknowledgment of God's goodness, and our love to his majesty: among which said blessings there could not be any of greater note, or of more happiness unto us, than the preservation and delivery of his majesty from the traitorous and detestable attempt of the earl Gowrie, his brother, and other complices against his majesty's life and person. For which inestimable benefits, forasmuch as his majesty's said subjects of Scotland have declared, and do still continue their joy and thankfulness, by solemnizing and celebrating the day of his majesty's said delivery, and for that cause, by a special act and perpetual statute made by the three estates of that kingdom (in a parliament holden at Edinburgh in the month of November, MDC.) have ordained, that the memory of the said day (being the 5th day of August the year aforesaid) should be yearly solemnized by public assembly, prayer, and thanksgiving to God in all parish churches throughout that realm, by cessation from work and labour, and by all good and lawful means and signs of gladness, whereby God might be glorified, and the joy for so happy a delivery continued in the memory of all posterity; and sithence this especial cause of joy is now become common to all the subjects of this realm, and of the rest of his majesty's dominions, who had been deprived of the present comfort, and of all future happiness, conceived and hoped for by the establishment of his majesty's sacred person in the right of this kingdom, if God in his mercy had not prevented that most wicked and horrible mischief; we therefore, unto whom as the said cause of joy and gladness jointly with the rest of his majesty's subjects, so the direction for any certain rule and order therein to be observed, doth more properly appertain, not doubting but you, and all other his loving subjects, will

readily apprehend this occasion to acknowledge their own happiness, do pray and require your lordship to cause to be published, and made known in the parish churches throughout all the dioceses in your province, the said occasion of joy and thankfulness for his majesty's delivery, the order and course that was taken heretofore, and is continued by his subjects of the Scottish nation, as is afore mentioned; and in like sort to prescribe the same rule and order of solemnizing and celebrating yearly the day aforesaid, of God's mercy and our happiness in the preservation of his majesty, by public assembly, thanksgiving, and prayer in the parish churches, and in special commemoration of his majesty's said delivery, by cessation from work and labour for that day, and by such other lawful signs and demonstrations of joy and gladness for the same, as may declare our thankfulness to God, and dutiful love to his majesty. The form and manner of which thanksgiving, how it may be best conceived, and delivered publicly in the churches, we refer to your lordship's judgment and wisdom. And so we bid your lordship right heartily well to fare. From the court at Windsor the 12th of July MDCIII.

Your lordship's very loving friends,

Tho. Egerton.	Lennoxe.	Nottingham.
Northumberland.	Gilb. Shrewsbury.	
E. Worcester.	Marre.	T. Howarde.
Rob. Cecyll.	Montjoye.	Will. Knowles.
E. Wotton.	J. Stanhope.	Elphinstowne.

CXVI.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Joh. Whitgift 21.	1603.	Jacob. I. 1.

A proclamation concerning such as seditiously seek reformation in church matters.—(Bodl. CC. 25. Med.)

AS we have ever from our infancy had manifold proofs of God's great goodness towards us in his protecting of us from many dangers of our person, very nearly threatening us, and none more notorious than his happy conducting of us in the late case of our succession to this crown, which contrary to most men's expectation we have received with more quiet and concurrency of good will of our people (otherwise perhaps of different dispositions) than ever in like accident hath been seen; so do we

A proclamation] The death of queen Elizabeth and the fears that were entertained of the Genevan tendencies of her successor, combined with the great and systematic exertions made by the puritans, created much anxiety on the part of the archbishop and the heads of the English church. The issuing of this proclamation contributed somewhat to their relief, as may be seen from the following extract of a letter written soon afterwards (Dec. 12, 1603.) by the archbishop to Cecil then lord Essenden. "Although our humorous and contentious brethren have made many petitions and motions correspondent to their natures, yet your lordship may perceive by the proclamation published, and to my comfort I am assured by his majesty's letters writ to me, that they have not much prevailed. Your lordship, I am sure, doth imagine that I have not all this while been idle, nor greatly quiet in mind. For who can promise himself rest among so many vipers?" (Strype, Whitg. vol. iii. p. 391.) But the seven months intervening between the accession of James to the crown of England and the issuing of this proclamation had satisfied him that the principles of government which he had held, but was not allowed to exercise, in Scotland, might safely and wisely be indulged among his new subjects. Already estranged from the discipline of Geneva, he brought with him

think, that the memory of his benefits ought to be a continual solicitation to us to shew ourselves thankful to his divine majesty whereinsoever opportunity shall be offered us to do him service, but especially in things concerning his honour and service, and the furtherance of the gospel, which is the duty most beseeming royal authority. Wherefore after our entry into this kingdom, when we had received information of the state thereof at the decease of the queen our sister of famous memory, although we found the whole body thereof in general by the wisdom of herself, and care of those, who had the administration thereof under her, in such good state of health, as did greatly commend their wisdoms, as well in the politic part of it, as also in the ecclesiastical, whereof since we have understood the form and frame, we are persuaded that both the constitution and doctrine thereof is agreeable to God's word, and near to the condition of the primitive church; yet forasmuch as experience doth

a prepossession against the puritans that was strengthened during his progress by the contrast between their abrupt and vehement importunities and the respectful and even obsequious demeanour of the established clergy. In accordance with the wishes of the former, but with the more especial view of exhibiting his own learning, he issued his proclamation for the meeting, since known as the "Conference at Hampton Court;" but great as was his taste for theological discussion, and willing as he was to adopt some of the opinions of the Calvinists, he soon shewed that he entertained as high a sense of prerogative as his predecessor, and would not admit of any alterations, which might either disturb the established order of church-government, or encourage a want of obedience to its authority. The king acted in this case agreeably with the advice of lord Bacon, who was now advancing in royal favour, and took care in recommending a conference, and overruling the objections of the clergy, to touch the principal chord in his master's character. "It is said that if way be given to mutation, though it be in taking away abuses, yet it may so acquaint men with sweetness of change, that it will undermine the stability even of that which is sound and good. This surely had been a good and true allegation in the ancient contentions and divisions between the people and the senate of

shew daily, that the church militant is never so well constituted in any form of policy, but that the imperfections of men, who have the exercise thereof, do with time though insensibly, bring in some corruptions; as also for that informations were daily brought unto us by divers, that some things used in this church were both scandalous to many seeming zealous, and gave advantage to the adversaries; we conceived that no subject could be so fit for us to shew our thankfulness to God, as upon serious examination of the state of this church, to redeem it from such scandals, as both by the one side and the other were laid upon it. For our instruction wherein, we appointed a meeting to be had before ourself and our

Rome; where things were carried at the appetites of multitudes, which can never keep within the compass of any moderation: but these things being with us to have an orderly passage, under a king, who hath a royal power and approved judgment, and knoweth as well the measure of things as the nature of them, it is surely a needless fear. For they need not doubt but your majesty, with the advice of your council, will discern what things are intermingled like the tares amongst the wheat, which have their roots so enwrapped and entangled, as the one cannot be pulled up without endangering the other; and what are mingled but as the chaff and the corn, which need but a fan to sift and sever them." The king's displeasure against petitions, that appears in this proclamation, was occasioned principally by the well-known Millenary petition, so called from its very numerous signatures, and by the industry with which it had been circulated throughout the country, with the further statement that it had been very graciously received. But the same dislike had existed at an earlier period, as he afterwards acknowledged in the presence of his council. "The revolt in the Low Countries which had lasted ever since he was born, and whereof he never expected to see an end, began first by a petition for matters of religion; and so did all the troubles in Scotland.——And he would hazard his crown, but he would suppress those malicious spirits." See Nos. CXIX. CXX. Strype, Whitg. vol. ii. p. 478. Collier, vol. ii. p. 672. Neal's Purit. vol. i. p. 391. Spotswood, p. 478. Wood's Ann. ann. 1603–4. Burnet's Own Times, vol. i. p. 15. note, ed. Oxf. 1833. K. James' Works, p. 305, &c. Lord Bacon's Works, vol. ii. p. 528. Hallam, vol. i. p. 319. Peck's Desid. Cur. vol. i. b. 5. p. 44.

council, of divers of the bishops and other learned men, the first day of the next month, by whose information and advice we might govern our proceeding therein, if we found cause of amendment. But by reason of the sickness reigning in many places of our kingdom, the unseasonable time of the year for travel, and the incommodity of the place of our abode for such an assembly, we were constrained to defer it till after Christmas. At which consultation we shall both more particularly understand the state of the church, and receive thereby light to judge, whether there be indeed any such enormities, as are pretended, and know how to proceed to the redress. But this our godly purpose we find hath been misconstrued by some men's spirits, whose heat tendeth rather to combustion than reformation, as appeareth by the courses they have taken; some using public invectives against the state ecclesiastical here established, some contemning their authority and the processes of their courts, some gathering subscriptions of multitudes of vulgar persons to supplications to be exhibited to us, to crave that reformation, which if there be cause to make, is more in our heart than in theirs. All which courses, it is apparent to all men, are unlawful, and do savour of tumult, sedition, and violence, and not of such a Christian modesty, as beseemeth those, who for piety's sake only desire redress of things they think to be amiss, and cannot but be the occasions of dissentious partialities, and perhaps of greater inconveniences among our people.

For preventing whereof, we have thought it necessary to make public declaration to all our subjects, that as we have reason to think the estate of the church here established, and the degrees and orders of ministers governing the same, to be agreeable to the word of God and the form of the primitive church, having found the same blessed in the reign of the late queen with great increase of the gospel, and with a most happy and long peace in

the politic state, which two things, the true service of God, and happiness of the state, do commonly concur together; so are we not ignorant, that time may have brought in some corruptions, which may deserve a review and amendment, which if by the assembly intended by us we shall find to be so in deed, we will therein proceed according to the laws and customs of this realm by advice of our council, or in our high court of parliament, or by convocation of our clergy, as we shall find reason to lead us; not doubting, but that in such an orderly proceeding we shall have the prelates and others of our clergy no less willing, and far more able to afford us their duty and service, than any other whose zeal goeth so fast before their discretion. Upon which our princely care, our pleasure is, that all our subjects do repose themselves, and leave to our conscience, that which to us only appertaineth, avoiding all unlawful and factious manner of proceeding; for that hereafter if any shall either by gathering the subscriptions of multitudes to supplications, by contemptuous behaviour of any authority by the laws resting in ecclesiastical persons, by open invectives and indecent speeches either in the pulpit or otherwise, or by disobedience to the processes proceeding from their jurisdiction, give us cause to think, that he hath a more unquiet spirit, than becometh any private person to have toward public authority, we will make it appear by their chastisement, how far such a manner of proceeding is displeasing to us, and that we find that these reformers under pretended zeal affect novelty, and so confusion in all estates, whereas our purpose and resolution ever was, and now is to preserve the estate as well ecclesiastical as politic in such form, as we have found it established by the laws here, reforming only the abuses, which we shall apparently find proved, and that also to do by such mature advice and deliberation, as we have above mentioned. Wherefore we admonish all men hereby to take

warning, as they will answer the contrary at their peril. Given under our hand at Wilton the 24th day of October, of our reign of England, France, and Ireland the first, and of Scotland the thirtieth and seventh year, anno Domini MDCIII.

CXVII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
JOH. WHITGIFT 21.	1603.	JACOB. I. 1.

The archbishop of Canterbury's letter for contribution to be made for the city of Geneva.—Reg. III. Whitgift, fol. 152. a.

"SALUTEM in Christo." I have received letters from his most excellent majesty, the tenor whereof followeth: Most reverend father in God, and right trusty and right well beloved counsellor, we greet you well. The city of Geneva of famous memory, for the zeal the inhabitants have ever had to religion, and for harbouring of many persecuted for the same, as well of other nations, as of this of England in time past, hath of late been put to great charges, by extraordinary occasions happened to them more than they are able to defray, and cannot preserve themselves from some imminent danger, except they be relieved by those their friends, who for community of religion ought to hold the dangers threatening

The archbishop of] "The duke of Savoy, who had several times endeavoured the subduing of Geneva to himself, had the last year (1602) contrary to his oath surprised it, by besieging it suddenly, and scaling the walls thereof, though without success; pretending the great reason moving him thereunto was the cause of religion, viz. to establish the catholic religion there." Strype, Whitg. vol. ii. p. 475. A similar benevolence had been levied in the year 1582 through the medium of the bishops: but in this instance it was done in a more systematic and uniform manner. Strype, Grind. p. 415.

of people so well affected to be their own cause; of which sort hoping that there be in this our realm a great number, who being informed of their cause, and of our good will, that they should be relieved, will readily contribute towards the same such benevolence, as God shall put in their hearts to do; we have thought good to signify unto you, that we understand by their agent sent unto us, of their extremity, and how willing we are by way of benevolence they may be relieved; and to require you to direct your letters, in our name, to the several bishops of your province, signifying the same to them; and that our pleasure is, they shall give order to the parsons, vicars, curates, and other incumbents of the several parishes in their dioceses, to make known so much to their parishioners at their assemblies on Sundays and holy-days, and how much it shall be to the commendation of their zeal and our good liking, that in this case they shew themselves liberal and forward, and to accompany the same with such good exhortations, as they shall think meet to excite the people's devotion, to extend itself toward a city deserving so well of the common cause of religion. And for the receipt of such monies, as shall be contributed, the said bishop shall appoint the churchwardens and sidemen of each parish, with the privity of the incumbents, to take care thereof, and at every month's end to deliver the same to the archdeacon, or some other person of note or trust, by the diocesan to be appointed, who shall see the same safely conveyed unto him, and from the said diocesan the same to be conveyed unto your grace, within some reasonable time, to be by you appointed, after he shall have received it. And when the money, or any part thereof shall be sent to your hands, you shall acquaint us or our council with it, and by their advice deliver it to the agent of Geneva, or such other, as they shall appoint to receive it here, and make it over to them. The said collection we think meet to begin within

one month after the date of these our letters, and to continue for the space of one year. Given under our signet at our city of Winchester the eighth day of October, in the first year of our reign of England, France, and Ireland, and of Scotland the seven and thirtieth. The contents of which his majesty's said letters I doubt not but that you will perform accordingly; the intent and purpose being so charitable and Christian, and for relief of a city which maintains the gospel, and for professing thereof endureth these troubles. This collection your lordship must give order to your archdeacons and other your officers, who are by his majesty's letters to receive the same monthly of the churchwardens, that they do send it unto you within such convenient time, as that I may receive it at your lordship's hands at the end of every third month from the date hereof: provided always, that there be no deduction of charges made by any of your officers or apparitors, out of any of these collections. And so with my very hearty commendations I commit you to the protection of the Almighty. From Croydon this 26th of October, MDCIII.

Your lordship's loving brother in Christ,

JO. CANTUAR.

CXVIII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
JOH. WHITGIFT 21.	1603.	JACOB. I. 1.

A proclamation commanding all Jesuits, seminaries, and other priests to depart the realm by a day appointed. (Bodl. 4to. CC. 25. Med.)

HAVING after some time spent in settling the politic affairs of this realm, of late bestowed no small

A proclamation] From the year 1579, when Campion and Parsons established a body of popish emissaries in England, (No. XCV,) procla-

labour in composing certain differences we found among our clergy about rites and ceremonies heretofore established in this church of England, and reduced the same to such an order and form, as we doubt not but every spirit, that is led only with piety and not with humour, shall be therein satisfied; it appeared unto us in the debating of those matters, that a greater contagion to our religion, than could proceed from those light differences, was imminent by persons common enemies to them both, namely the great number of priests, both seminaries and Jesuits, abounding in this realm, as well of such as were here before our coming to this crown, as of such as have resorted hither since, using their functions and professions with greater liberty, than heretofore they durst have done, partly upon a vain confidence of some innovation in matters of religion to be done by us, which we never intended, nor gave any man cause to expect, and partly upon the assurance of our general pardon, granted according to the custom of our progenitors at our coronation, for offences past in the days of the late queen; which pardon many of the said priests have procured under our great seal, and holding themselves thereby free from the

mations had frequently been issued "for revocation of students from beyond the seas," "for denouncing Jesuits as traitors," "against uttering bulls from the see of Rome," and "for proceeding against Jesuits and secular priests." This proclamation, issued on the 22d of February 1604, gave occasion to the conspiracy which terminated in the plot of November the 5th in the following year. Another proclamation was issued on the 10th of June 1606, describing "the late most horrible and almost incredible conjuration to blow up us, our children, and all the three estates in parliament assembled," and warning all Jesuits, seminaries, friars, and other Romish priests, to depart out of the kingdom before the first day of August following, but speaking with much mildness and forbearance of Romanists in general. The Hampton Court conference to which reference is made in the beginning of this paper, had taken place in the preceding month of January. Comp. Strype, Whitg. vol. ii. p. 520. Neal, Purit. vol. i. p. 406.

danger of the laws, do with great audacity exercise all offices of their profession, both saying masses, persuading our subjects from the religion established, and reconciling them to the church of Rome, and by consequence seducing them from the true persuasion, which all subjects ought to have of their duty and obedience to us. Wherefore forasmuch as by way of providence to preserve their people from being corrupted in religion, piety, and obedience, is not the least part of royal duty, we hold ourself obliged both in conscience and in wisdom, to use all good means to keep our subjects from being infected with superstitious opinions in matter of religion, which are not only pernicious to their own souls, but the ready way and means to corrupt their duty and allegiance, which cannot be any way so surely performed, as by keeping from them the ministers and instruments of that infection, which are the priests of all sorts ordained in foreign parts by authority prohibited by the laws of this land; concerning whom therefore we have thought it fit to publish to all our subjects this open declaration of our pleasure. That where there be of priests at this present within our kingdom, be they regular, or without rule, divers sorts, some in prison, some at liberty, and of both some having obtained our pardon under our great seal, and some having no such pardon: and again some that were here before our coming into this realm, and some come hither since: for all such as are in prison we have taken order that they shall be shipped at some convenient port, and sent out of our realm as soon as possibly may be, with commandment not to return again into any part of our dominions, without our license obtained, upon pain and peril of the laws being here in force against them; and for all others, who are at liberty, whether having sued out our pardon or not, which we do advertise them and all our subjects, that extending only to matters done before the death of the late queen, doth not exempt any priest from

the danger of the law for his abode here since our succession to the crown above the time by the statute limited.

We do hereby will and command all manner of Jesuits, seminaries, and other priests whatsoever, having ordination from any authority by the laws of this realm prohibited, to take notice, that our pleasure is, that they do before the nineteenth day of March next ensuing the date hereof, depart forth of our realm and dominions, and that for that purpose it shall be lawful to all officers of our ports, to suffer the said priests to depart from thence into any foreign parts, between this and the said nineteenth day of March; admonishing and assuring all such Jesuits, seminaries, and priests of what sort soever, that if any of them shall be after the said nineteenth day taken within this realm or any our dominions, or departing now upon this our pleasure signified, shall hereafter return into this realm or any our dominions again, that they shall be left to the penalty of the laws, here being in force concerning them, without hope of any favour or remission from us.

Wherefore we will and command all archbishops, bishops, lieutenants, justices of peace, and all other our officers and ministers whatsoever, to be vigilant and careful after the said nineteenth day of March past, to do their duties and diligence in discovering and apprehending of all priests that shall remain here contrary to this our declaration. Which though perhaps it may seem to some to presage a greater severity towards that sort of our subjects, who differing in their profession from the religion by law established, call themselves "catholics," than by our proceedings with them hitherto we have given cause to expect; yet doubt we not, but that when it shall be considered with indifferent judgment, what causes have moved us to use this providence against the said Jesuits, seminaries, and priests, all men will justify

us therein. For to whom is it unknown[a], into what peril our person was like to be drawn, and our realm unto confusion not many months since, by a conspiracy first conceived by persons of that sort, who having prevailed with some, had undertaken to draw multitudes of others to assist the same by the authority of their persuasions, and motives grounded chiefly upon matter of conscience and religion: which when other princes shall duely observe, we assure ourselves they will no way conceive, that this alteration groweth from any change of disposition now more exasperate than heretofore, but out of necessary providence to prevent perils otherwise inevitable, considering that their absolute submission to foreign jurisdiction at their first taking of orders, doth leave so conditional an authority to kings over their subjects, as the same power, by which they were made, may dispense at pleasure with the straitest band of loyalty and love between a king and his people. Amongst which foreign powers, although we acknowledge ourselves personally so much beholding to the now bishop of Rome for his kind offices[b] and private temporal carriage towards us in many

[a] *For to whom is it unknown*] The conspiracy in which sir Walter Ralegh was engaged, a passage of king James' history, which has never been satisfactorily explained, is here said to have originated with papists; but it certainly included persons of other persuasions, and seems to have been conducted rather by men of desperate fortunes and lawless habits than by religious zealots. Of the three persons however who suffered death in consequence, two were popish priests. They were executed Nov. 29, 1603. Biog. Brit. art. Ralegh. Hume, Hist. vol. vi. p. 8. Spotswood, p. 478. Lingard, vol. vi. p. 10.

[b] *bishop of Rome for his kind offices*] From a motive which seems to have consisted partly of fear for his own safety, and partly of love for the same arbitrary mode of government, king James was always desirous of conciliating the court of Rome, although he did not hesitate to express himself strongly against some of its doctrines. At this particular time, as appears from the proclamation, he attributed the recent conspiracy to the machinations of the Jesuits, and had reason to re-

things, as we shall be ever ready to requite the same towards him, as bishop of Rome in state and condition of a secular prince; yet when we consider and observe the course and claim of that see, we have no reason to imagine, that princes of our religion and profession can expect any assurance long to continue, unless it might be assented by mediation of other princes Christian, that some good course might be taken by a general council free and lawfully called, to pluck up those roots of dangers and jealousies, which arise for cause of religion, as well between princes and princes, as between them and their subjects, and to make it manifest that no state or potentate either hath, or can challenge power to dispose of earthly kingdoms or monarchies, or to dispense with subjects' obedience to their natural sovereigns: in which

member the endeavours made by pope Clement VIII. to prevent his succeeding to the crown of England; and yet he now speaks of the pope himself in the most conciliating manner, and in the speech that he delivered before the parliament in the following month (March 19, 1604) he acknowledged the Roman communion to be his mother-church, and expressed his anxiety to find out some terms of mutual agreement by which Chistendom could be again united in one body. His expressions of personal esteem and obligation to the pope grew partly out of the private negociations which he had previously held with the papal court, and his earnest wish to obtain its assistance in his plans of policy for the future. He appears to have opened a communication with pope Clement immediately after his elevation to the papal chair. "To him," says bishop Goodman in his Memoirs (vol. i. p. 82. ed. 1839), "king James did make suit to favour his title to the crown of England; which as king James doth relate in his book 'Triplici nodo triplex cuneus,' the pope did promise to do. But then, as Bellarmine says, there was another promise from the king, that he would favour catholics. . . . The pope replied that if it were for want of means, he would exhaust all the treasures of the church, and sell the plate to supply him." But the king's courteous language is more directly explained by a passage in the Memoirs of Sully (b. 15). "Clement VIII., though before Elizabeth's death he had abetted the project of placing Arabella on the throne, thought it expedient, after this design had failed, to pay

charitable action, there is no prince living, that will be readier than we shall be, to concur even to the uttermost of our power, not only out of particular disposition to live peaceably with all states and princes of Christendom, but because such a settled amity might by an union in religion be established among Christian princes, as might enable us all to resist the common enemy. Given at our palace of Westminster the 22d day of February, in the first year of our reign of England, France, and Ireland, and of Scotland the seven and thirtieth.

some court to James, and had refused to accept the dedication of a work written against him, besides, probably, some other courtesies. There is a letter from the king addressed to the pope, and probably written in 1603, among the Cottonian MSS. (Nero, B. vi. 9), which shews his disposition to coax and coquet with the Babylonian, against whom he so much inveighs in his printed works. It seems that Clement had so far presumed, as to suggest that the prince of Wales should be educated a catholic; which the king refuses, but not in so strong a manner as he should have done." (Hallam, vol. i. p. 437. note.) The king's duplicity respecting Rome during the two negociations which took place subsequently for the marriage of prince Charles, amounted to a degree of dishonesty that is scarcely credible. And this popish disposition on the part of the king was requited with the most gracious demeanour on the part of the pontiff. "The intelligence," says Lingard, "that Watson and Clark had been engaged in the late conspiracy was received by him with regret. He ordered the nuncio at Paris to assure James of the abhorrence with which he viewed all acts of disloyalty; and he dispatched a secret messenger to the English court with an offer to withdraw from the kingdom every missionary, who might be an object of suspicion to the council." Vol. vi. p. 19. Burnet's Own Times, vol. i. p. 13. Spotswood's Hist. p. 463. Neal, Purit. vol. i. p. 407. King James' Works, p. 484. Collier, vol. ii. p. 686. Laing, Hist. of Scotl. 3. 59. Rushworth, vol. i. p. 166.

CXIX.

Sede Cant. vacante.	Anno Christi 1603.	Reg. Angliæ Jacob. I. 1.

A proclamation for the authorizing and uniformity of the book of Common Prayer to be used throughout the realm. (Bodl. 4to. CC. 25. Med.)

ALTHOUGH it cannot be unknown to our subjects by the former declarations we have published, what our purposes and proceedings have been in matters of religion since our coming to this crown; yet the same being now by us reduced to a settled form, we have occasion to repeat somewhat of that which hath passed; and how at our very first entry into the realm being entertained and importuned with informations of sundry ministers, complaining of the errors and imperfections of the church here, as well in matter of doctrine, as of discipline, although we had no reason to presume that things were so far amiss as was pretended, because we had seen the kingdom under that form of religion, which by law was established in the days of the late queen of famous memory, blessed with a peace and prosperity, both extraordinary and of many years' continuance, (a strong evidence that God was therewith well pleased,) yet because the importunity of the complainers was great, their affirmations vehement, and the zeal, wherewith the same did seem to be accompanied, very specious, we were moved thereby to make it our occasion to discharge that duty, which is the chiefest of all kingly duties, that is, to settle the affairs of religion and the service of God

A proclamation] See Nos. CXVI. CXX. Strype, Whitg. vol. ii. p. 520. Neal, Purit. vol. i. p. 404. Collier, vol. ii. p. 683. King James' Works, p. 485.

before their own; which while we were in hand to do, as the contagion of the sickness reigning in our city of London and other places would permit an assembly of persons meet for that purpose, some of those who misliked the state of religion here established, presuming more of our intents than ever we gave them cause to do, and transported with humour, began such proceedings, as did rather raise a scandal in the church, than take offence away. For both they used forms of public serving of God not here allowed, held assemblies without authority, and did other things carrying a very apparent show of sedition, more than of zeal; whom we restrained by a former proclamation in the month of October last, and gave intimation of the conference we intended to be had with as much speed as conveniently could be, for the ordering of those things of the church; which accordingly followed in the month of January last, at our honour of Hampton court, where before ourself and our privy council were assembled many of the gravest bishops and prelates of the realm, and many other learned men, as well of those that are conformable to the state of the church established, as of those that dissented; among whom, what our pains were, what our patience in hearing and replying, and what the indifferency and uprightness of our judgment in determining, we leave to the report of those who heard the same, contenting ourself with the sincerity of our own heart therein. But we cannot conceal, that the success of that conference was such as happeneth to many other things, which moving great expectation before they be entered into, in their issue produce small effects. For we found mighty and vehement informations supported with so weak and slender proofs, as it appeared unto us and our council, that there was no cause, why any change should have been at all in that, which was most impugned, the book of Common Prayer, containing

the form of the public service of God here established; neither in the doctrine, which appeared to be sincere, nor in the forms and rites, which were justified out of the practice of the primitive church. Notwithstanding we thought meet, with consent of the bishops and other learned men there present, that some small things might rather be explained, than changed; not that the same might not very well have been borne with by men, who would have made a reasonable construction of them, but for that in a matter concerning the service of God we were nice or rather jealous, that the public form thereof should be free not only from blame, but from suspicion, so as neither the common adversary should have advantage to wrest aught therein contained to other sense, than the church of England intendeth, nor any troublesome or ignorant person of this church be able to take the least occasion of cavil against it: and for that purpose gave forth our commission under our great seal of England to the archbishop of Canterbury and others, according to the form, which the laws of this realm in like case prescribe to be used, to make the said explanation, and to cause the whole book of Common Prayer, with the same explanations, to be newly printed. Which being now done and established anew after so serious a deliberation; although we doubt not but all our subjects, both ministers and others, will receive the same with such reverence as appertaineth, and conform themselves thereunto every man in that, which him concerneth; yet have we thought it necessary to make known by proclamation our authorizing of the same, and to require and enjoin all men, as well ecclesiastical as temporal, to conform themselves unto it, and to the practice thereof, as the only public form of serving of God, established and allowed to be in this realm. And the rather, for that all the learned men, who were there present, as well of the bishops, as

others, promised their conformity in the practice of it, only making suit to us, that some few might be borne with for a time.

Wherefore we require all archbishops, bishops, and all other public ministers, as well ecclesiastical as civil, to do their duties in causing the same to be obeyed, and in punishing the offenders according to the laws of the realm heretofore established for the authorizing of the said book of Common Prayer. And we think it also necessary, that the said archbishops and bishops do each of them in his province and diocese take order, that every parish do procure to themselves within such time, as they shall think good to limit, one of the said books so explained. And last of all we do admonish all men, that hereafter they shall not expect nor attempt any further alteration in the common and public form of God's service, from this which is now established; for that neither will we give way to any to presume, that our own judgment having determined in a matter of this weight, shall be swayed to alteration by the frivolous suggestions of any light spirit; neither are we ignorant of the inconveniences, that do arise in government, by admitting innovation in things once settled by mature deliberation; and how necessary it is to use constancy in the upholding of the public determinations of states; for that such is the unquietness and unsteadfastness of some dispositions, affecting every year new forms of things, as, if they should be followed in their inconstancy, would make all actions of states ridiculous and contemptible: whereas the steadfast maintaining of things by good advice established, is the weal of all commonwealths. Given at our palace of Westminster the fifth day of March, in the first year of our reign of England, France, and Ireland, and of Scotland the seven and thirtieth, anno Domini, MDCIII.

CXX.

Sede Cant. vacante.	Anno Christi 1604.	Reg. Angliæ Jacob. I. 2.

A proclamation enjoining conformity to the form of the service of God established.—(Bodl. 4^to^. CC. 25. Med.)

THE care, which we have had, and pains, which we have taken to settle the affairs of this church of England in an uniformity as well of doctrine, as of government, both of them agreeable to the word of God, the doctrine of the primitive church, and the laws heretofore established for those matters in this realm, may

A proclamation] See N^os^. CXVIII. CXIX. The feeling, which king James had brought from Scotland, of respect for a monarchical form of church-government, and dislike and irritation against republican platforms, had been constantly acquiring strength and consistency in England, and appears at the time of this proclamation to have amounted to the strictest views of supremacy and obedience, and a personal disgust and offence against the puritans. In his proclamation of the 5th of March (N^o^. CXIX.) he enjoined the use of the new book of Common Prayer on his own authority, without waiting for the sanction of the convocation or the parliament; and in his speech before parliament (March 22d) he denounced the puritans as "fond of levelling," and "scarcely to be endured in a well-regulated commonwealth." He found however, notwithstanding his injunction to the contrary, that petitions were proposed, both in the house of commons and in the lower house of convocation, for further alterations in the book of Common Prayer, and in the established order of church-government; and that many ministers retained their appointments who were favourable to the ritual and discipline of Geneva. This proclamation therefore was issued, requiring them to conform, and fixing the last day of November next ensuing as the limit of time allowed them. The test of conformity was doubtless subscription willingly and *ex animo* to the three articles of the thirty-sixth canon, and observance of the other canons, which had been approved by the recent convocation and ratified by the king. Collier, vol. ii. p. 686. Neal, Purit. vol. i. p. 416.

sufficiently appear by our former actions. For no sooner did the infection of the plague, reigning immediately after our entry into this kingdom, give us leave to have any assembly, but we held at our honour of Hampton Court for that purpose a conference between some principal bishops and deans of this church, and such other learned men as understood or favoured the opinions of those that seek alteration, before ourself and our council. Of which conference the issue was, that no well grounded matter appeared to us or our said council, why the state of the church here by law established, should in any material point be altered. Nor did those that before had seemed to affect such alteration, when they heard the contrary arguments, greatly insist upon it, but seemed to be satisfied themselves, and to undertake within reasonable time to satisfy all others, that were misled with opinion that there was any just cause of alteration. Whereupon we published by our proclamation what had been the issue of that conference, hoping that when the same should be made known, all reasonable men would have rested satisfied with that which had been done, and not have moved further trouble or speech of matters, whereof so solemn and advised determination had been made. Notwithstanding at the late assembly of our parliament there wanted not many, that renewed with no little earnestness the questions before determined, and many more as well about the book of Common Prayer, as other matters of church-government, and importuned us for our assent to many alterations therein; but yet with such success, as when they had heard both our own speeches made unto them at sundry times, shewing the reasons of our former proceedings in those matters, and likewise had had conference with some bishops and other lords of the upper house about the same, they desisted from further prosecution thereof; finding that of all things that might any way tend to the furtherance of religion, and establish-

ment of a ministry fit for the same, we had before with the advice of our council had such consideration, as the present state of things would bear, and taken order how the same should be prosecuted by such means, as might be used without any public disturbance or innovation: and so the end of all their motions and overtures falling out to be none other in substance, than was before at the conference at Hampton Court, that is, that no apparent or grounded reason was shewed, why either the book of Common Prayer, or the church discipline here by law established, should be changed, which were unreasonable, considering that particular and personal abuses are remediable otherwise, than by making general alterations; we have thought good once again to give notice thereof to all our subjects by public declaration, who we doubt not but will receive great satisfaction, when they shall understand that after so much impugning, there appeareth no cause, why the form of the service of God, wherein they have been nourished so many years, should be changed; and consequently to admonish them all in general to conform themselves thereunto, without listening to the troublesome spirits of some persons, who never receive contentment, either in civil or ecclesiastical matters, but in their own fantasies, especially of certain ministers, who under pretended zeal of reformation, are the chief authors of divisions and sects among our people. Of many of which, we hope that now, when they shall see that such things, as they have proposed for alteration, prove upon trial so weakly grounded, as deserve not admittance, they will out of their own judgment conform themselves to better advice, and not omit the principal and substantial parts of their duties, for shadows and semblances of zeal, but rather bend their strength with our intent to join in one end, that is the establishing of the gospel, and recovering of our people seduced out of the hands of the common adversaries of our religion, which shall never be

well performed but by an uniformity of our endeavours therein. But if our hope herein fail us, we must advertise them, that our duty towards God requireth at our hands, that what untractable men do not perform upon admonition, they must be compelled unto by authority; whereof the supreme power resting in our hands, by God's ordinance, we are bound to use the same in nothing more, than in preservation of the church's tranquillity, which by God's grace we are fully purposed to do. And yet by advice of our council, and opinion of the bishops, although our former proclamations, both before the conference and since, ought to be a sufficient warning and admonition to all men who are within the danger of them, we have thought good to give time to all ministers disobedient to the orders of the church, and to ecclesiastical authority here by law established, and who for such disobedience, either in the days of the queen our sister of famous memory deceased, or since our reign have incurred any censures of the church, or penalties of laws, until the last of November now next ensuing, to bethink themselves of the course they will hold therein.

In which mean time both they may resolve either to conform themselves to the church of England, and obey the same, or else to dispose of themselves and their families some other ways, as to them shall seem meet: and the bishops and others whom it concerneth, provide meet persons to be substitutes in the place of those, who shall wilfully abandon their charges upon so slight causes; assuring them, that after that day, we shall not fail to do that, which princely providence requireth at our hands; that is, to put in execution all ways and means that may take from among our people all grounds and occasions of sects, divisions, and unquietness: whereof as we wish there may never be occasion given us to make proof, but that this our admonition may have equal force in all men's hearts, to work an universal conformity; so we do

require all archbishops, bishops, and other ecclesiastical persons, to do their uttermost endeavours by conferences, arguments, persuasions, and by all other ways of love and gentleness to reclaim all that be in the ministry, to the obedience of our church laws: for which purpose only we have enlarged the time formerly prefixed for their remove or reformation, to the end that if it be possible, that uniformity, which we desire, may be wrought by clemency and by weight of reason, and not by rigour of law. And the like advertisement do we give to all civil magistrates, gentlemen, and others of understanding, as well abroad in the counties, as in cities and towns, requiring them also, not in any sort to support, favour, or countenance, any such factious ministers in their obstinacy; of whose endeavours we doubt not but so good success may follow, as this our admonition, with their endeavours, may prevent the use of any other means to retain our people in their due obedience to us, and in unity of mind, to the service of Almighty God.

Given at our manor of Otelands the 16th day of July, in the second year of our reign of England, France, and Ireland, and of Scotland the seven and thirtieth, anno Domini MDCIV.

CXXI.

Sede Cant. vacante.	Anno Christi 1604.	Reg. Angliæ Jacob. I. 2.

The king's letter to the bishop of London about translating the Bible.—Reg. III. Whitgift, fol. 155.

AFTER my hearty commendations unto your lordship. I have received letters from his most excellent ma-

The king's letter] The determination to make a new translation of the Bible grew out of the proceedings at Hampton Court, in the 2nd day's

jesty, the tenor whereof followeth: Right trusty and well-beloved, we greet you well. Whereas we have appointed certain learned men, to the number of four and fifty, for the translating of the Bible, and that in this number, divers of them have either no ecclesiastical preferment at all, or else so very small, as the same is far unmeet for men of their deserts, and yet we of ourself in any convenient time cannot well remedy it; therefore we do hereby require you, that presently you write in our name as well to the archbishop of York, as to the rest of the bishops of the province of Cant., signifying unto them, that we do will, and straitly charge every one of them, as also the other bishops of the province of York, as they tender our good favour towards them, that (all excuses set apart) when any prebend or parsonage, being rated in our book of taxations, the prebend to twenty pound at the least, and the parsonage to the like sum and upwards, shall next upon any occasion happen to be void, and to be either of their patronage and gift, or the like parsonage

conference; when Dr. Rainolds proposed it, alleging that "those translations which were allowed in the reigns of king Henry VIII. and Edward VI. were corrupt and not answerable to the truth of the original." It appears from what passed at the time, that the bishops did not think it desirable to engage in such an undertaking; and from the 80th canon, which was adopted in the ensuing convocation, enjoining that the Bishops' Bible should be provided for all parish churches, it may be inferred that they did not expect the undertaking to be carried so promptly into execution. But the king had not only expressed himself in favour of it, and with much show of learning, when it was first proposed, but had also stated at the same time his general views as to the plan on which it was to be conducted. He accordingly took the proper means for carrying it into effect, and all his proceedings connected with this matter display great knowledge and judgment. The translation appears to have been delayed by the death of one of its principal conductors, and was not actually published till the year 1611. See No. CXXIV. Lewis, Hist. of Transl. p. 306. Todd's Vindication. Barlow's Conference, 2nd day. Wood's Ann. an. 1604. Strype, Whitg. vol. ii. p. 527.

so void to be of the patronage and gift of any person whatsoever, they do make stay thereof, and admit none unto it, until certifying us of the avoidance of it, and of the name of the patron (if it be not of their own gift) we may commend for the same some such of the learned men, as we shall think fit to be preferred unto it; not doubting of the bishop's readiness to satisfy us herein, or that any of the laity, when we shall in time move them to so good and religious an act, will be unwilling to give us the like due contentment and satisfaction; we ourselves having taken the same order for such prebends and benefices as shall be void in our gift. What we write to you of others, you must apply it to yourself, as also not forget to move the said archbishop and all the bishops, with their deans and chapters of both provinces, as touching the other point to be imparted otherwise by you unto them. Furthermore we require you, to move all our bishops to inform themselves of all such learned men within their several dioceses, as having especial skill in the Hebrew and Greek tongues, have taken pains, in their private studies of the scriptures, for the clearing of any obscurities either in the Hebrew or in the Greek, or touching any difficulties or mistakings in the former English translation, which we have now commanded to be thoroughly viewed and amended, and thereupon to write unto them, earnestly charging them, and signifying our pleasure therein, that they send such their observations either to Mr. Lively, our Hebrew reader in Cambridge, or to Dr. Harding, our Hebrew reader in Oxford, or to Dr. Andrews, dean of Westminster, to be imparted to the rest of their several companies; that so our said intended translation may have the help and furtherance of all our principal learned men within this our kingdom. Given under our signet at our palace of Westm. the two and twentieth of July, in the second year of our reign of England, France, and Ireland, and of Scotland XXXVII.

Your lordship may see, how careful his majesty is for the providing of livings for these learned men; I doubt not therefore, but your lordship will have a due regard of his majesty's request herein, as it is fit and meet, and that you will take such order both with your chancellor, register, and such your lordship's officers, who shall have intelligence of the premises, as also with the dean and chapter of your cathedral church, whom his majesty likewise requireth to be put in mind of his pleasure herein, not forgetting the latter part of his majesty's letter, touching the informing yourself of the fittest linguists within your diocese for to perform, and speedily to return that, which his majesty is so careful to have faithfully performed. I could wish your lordship would, for my discharge, return me in some few lines, the time of the receipt of these letters, that I may discharge that duty, which his majesty, by these his letters, hath laid upon me: and so I bid your lordship right heartily farewell. From Fulham the 31st of July, MDCIV.

Your lordship's loving friend and brother,

R. LONDON.

The bishop of London's letter about the expenses in translating the Bible.—Reg. III. Whitgift, fol. 156.

"SALUTEM in Christo." My very good lord, as touching that clause in his majesty's letter, which is referred to my relation, this it is: there are many, as your lordship perceiveth, who are to be employed in this translating of the Bible, and sundry of them must of necessity have their charges borne, which his majesty was very ready of his most princely disposition to have borne, but some of my lords, as things now go, did hold it inconvenient; whereupon it was left to me, to move all my brethren the bishops, and likewise every several dean and

chapters, to contribute toward this work. Accordingly therefore to my duty, I heartily pray your lordship, not only to think yourself what is meet for you to give for this purpose, but likewise to acquaint your dean and chapter not only with the said clause of his majesty's letter, but likewise with the meaning of it, that they may agree upon such a sum, as they mean to contribute. I do not think that a thousand marks will finish the work, to be employed as is aforesaid, whereof your lordship, with your dean and chapter, having due consideration, I must require you in his majesty's name, according to his good pleasure in that behalf, that as soon as possibly you can, you send me word, what shall be expected from you and your said dean and chapter; for I am to acquaint his majesty with every man's liberality towards this most godly work. And thus not doubting of your especial care for the accomplishing of the premises, and desiring your lordship to note the date to me of your receipt of this letter, I commit your lordship unto the tuition of the Almighty God. From Fulham this 31st of July, MDCIV.

Your lordship's very loving friend and brother,

R. LONDON.

CXXII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
RIC. BANCROFT I.	1604.	JACOB. I. 2.

The council's letter for proceeding against the non-conformitans of the clergy.—Reg. Bancroft, fol. 127. a.

"SALUTEM in Christo." I have received a letter from the lords of his majesty's most honourable

The council's letter] This letter, together with the directions of the archbishop on the same subject and of the same date, and his letter of

privy council, whereof your lordship is to take notice, the copy whereof followeth word for word: After our hearty commendations to your lordship. Forasmuch as the time is now expired, which by his majesty's late proclamation, dated the sixteenth day of July last, was prescribed and limited to all those of the clergy, for the conforming of themselves unto the laws and orders of the church government established within this realm, that have heretofore, under a pretended zeal of reformation, but indeed of a factious desire of innovation, refused to yield their obedience and conformity thereunto; by means whereof, all such as persist in that wilful disobedience are subject to the penalty of deprivation from their benefices, and other church livings, of deposition from their ministry, and other censures of the church, which were as well at all times heretofore, as presently, in vigour and force; although his majesty maketh no doubt, but that your lordship throughout your province, and the rest of

the following March, form an important epoch in the history, not only of the church, but also of the state of England. The puritans were now a numerous and powerful body, and being many of them unwilling, from a conscientious feeling, to separate themselves altogether from the church, were determined to resist, by every lawful method, the exact conformity required by the canons of the recent convocation. Confident that they should be supported by the house of commons, as many of its members were of their religious persuasion, they called into question the powers of the high court of commission, and denied that the crown had any right to enact laws for the government of the church without the consent of parliament. But Bancroft, who was confirmed in the primacy on the 10th of December 1604, was not a prelate to be alarmed by the number, or baffled by the ingenuity, of his opponents. "He understood the church excellently," says lord Clarendon (Hist. vol. i. p. 134. ed. 4to. 1816), "and had almost rescued it out of the hands of the Calvinian party, and very much subdued the unruly spirit of the nonconformists by and after the conference at Hampton Court, ... and if he had lived, would quickly have extinguished all that fire in England, which had been kindled at Geneva." The first act of the crown in connection with the church after his appointment, was to summon the

the bishops, every one in his own diocese, will have regard to the execution of the said laws and constitutions in such sort, as is meet and necessary for the uniformity of the church discipline; nevertheless such is the great care and zeal of his most excellent majesty, for a due proceeding to be had in a matter of so great consequence, as this is, of redressing and reforming all offensive and scandalous divisions in the church, as also to remove an ill-grounded opinion and conceit, wherewith, as it seemeth, divers have nourished and flattered their own disobedience, presuming on a further enlargement of time and toleration, than hath been granted or is intended by his majesty; as we cannot omit both to assist your own readiness with our advice and concurrence of judgment, and that which is much more, to give you knowledge of the expectation his majesty hath of your proceedings herein. For although it be much more agreeable to his most gracious mind and clemency, to heal and cure such distemperatures by lenity and gentleness, than by severity; as

judges into the star chamber, and to require their sentence on the following questions: 1. Whether the deprivation of puritan ministers by the high commissioners for refusing to conform themselves to the ceremonies appointed by the last canons was lawful? 2. Whether a prohibition be grantable against the commissioners upon the statute of 2 Henry V. if they do not deliver a copy of the libel to the party? 3. Whether it were an offence punishable, and what punishment they deserved, who framed petitions and collected a multitude of hands thereto, to prefer to the king in a public cause, as the puritans had done, with an intimation to the king, that if he denied their suit, many thousands of his subjects would be discontented." It appears from the archbishop's directions (p. 95), that the opinions of the chief justice (sir John Popham) and the attorney general (sir Edward Coke) had already been obtained as to the powers possessed by the bishops under the statute of uniformity 1 Eliz., and were favourable to the wishes of the court. It appears also from the archbishop's letter (p. 97) that, before the time when it was written, the deliberate sentence of the judges and the privy council had been required on the same subject, and with the same success. This sentence consisted doubtless of the answers to the three

hath well appeared by the conferences that his majesty heretofore hath ordained to be had in his own presence, by the course of advice and persuasion, that he hath prescribed to be holden by those, that are of chief place and authority in the church, and lastly by giving time and respite, more than once, unto such persons either misled or unresolved, to conform themselves upon better advisement; nevertheless his majesty is well pleased to have it known, that he is as far from alteration of his purpose to work an uniformity, as they are importunate in their unjust desire of innovation, and expecteth that from henceforth, without delay, where advice prevaileth not, authority shall compel, and that the laws shall be put in execution, where admonition taketh not effect; the penalty whereof they that will incur, must impute it unto their own obstinacy, being guilty of disobedience to his majesty, of uncharitableness unto any cure or charge that they have, and in dutifulness might hold, and to themselves for any grievance, or loss that they shall sustain; but as it is necessary, where unity is to be effected, there

questions stated above, which we find from the reports of sir George Croke were given after Michaelmas term 1604, and, with the exception of a point respecting prohibitions, were decisive as to the complete authority of the crown. It cannot be doubted, and it was shewn in the immediate consequences, that these proceedings gave additional force to the strong opinions already entertained at court respecting the prerogative, placing the government of the church completely in the hands of the sovereign, and encouraging him to look for passive obedience in his government of the state.

The number of puritan ministers silenced or deprived at this period is variously reported. The author of the "Altar of Damascus" states that they amounted to three hundred; but the rolls delivered in by the archbishop some years afterwards shew that not more than forty-nine had been deprived on any account whatever. It is clear however, that the impression made on all ranks, both for good and for evil, was great and permanent. Biog. Brit. art. Bancroft. Croke's Reports, 2 Jac. p. 37. Collier, vol. ii. p. 687. Neal, Purit. vol. i. p. 416. Heylin, Aer. Rediviv. p. 376. Hallam, Cons. Hist. 4to. vol. i. p. 426.

men of unquiet and factious spirit should not have place, so because by the removing and displacing of them, opportunity and advantage may be taken by men of a corrupt mind and disposition (having the patronage and donation of some of the benefices so made void) to prefer ignorant and insufficient men into their places; his majesty therefore hath commanded us, in his name, to require you all, to take this especial charge upon you, that whosoever shall present any person to be admitted, not only in the rooms of any that shall be deprived, but in all others, your lordship shall duly inform yourself of the party's learning and integrity, and to be as well answerable for his sufficiency to instruct his people, as to be conformable to his laws; a matter wherein the dependency upon the judgment of inferior officers hath brought great inconveniences, and whereof more especial care would now be had, seeing divers turbulent persons have mixed their complaints with this affirmation, that the names of good and understanding ministers shall now be supplied with idle drones and dumb images; which great enormity, as his majesty himself should abhor more than any other, so he doubteth not but your lordship, and the rest will be most careful to extirpate all scandal and peril of any such effects of his religious care and wise directions, of which we need to use no further enlargement. What we have written in the premises to your lordship, his majesty requireth you forthwith to impart by your letters to all the bishops of your province, charging them, as they will answer the contrary at their perils, to omit no occasion, diligence, and care for the due execution of this charge and duty thus committed and commanded, in his majesty's name, unto them: and so we bid your lordship very heartily farewell. From Whitehall the tenth of December, MDCIV. Your very loving friends T. Ellesmere, canc. T. Dorset, Lenox, Nottingham, Suffolk, Northumberland, E. Worcester, H. North-

ampton, Cranborne, E. Zouche, W. Knollys, E. Wotton, Jo. Stanhope, Jo. Herbert. Your lordship having perused this letter, cannot but greatly rejoice at his majesty's constant resolution, and most honourable inclination of their lordships; and I doubt not but you will with all care, faith, and diligence accomplish the effect thereof. I have furthermore sent you herewith, not without some direction, the manner of such proceedings with the obstinate of the ministry, as I think fit to be generally observed by your lordship, and the rest of our brethren; for it will much further the service committed unto us, if we concur together in that course. And so with my very hearty commendations, I commit your lordship unto the tuition of Almighty God. At Lambeth the 22d of December, MDCIV.

Your lordship's very loving friend and brother,

R. CANTUAR.

The archbishop of Canterbury's directions to the same purpose.—Reg. Bancroft, fol. 127. b.

"SALUTEM in Christo." Your lordship perceiving his majesty's pleasure and constant resolution by the letter sent to me from the lords, I have thought good to advertise you of such a course, and uniform kind of proceeding with the disobedient and obstinate ministers, as I think fit to be observed by myself, by your lordship, and by the rest of my brethren, the bishops of this province.

Of such disobedient ministers some are already placed in the church, some are not; touching the second sort not placed, I doubt not, but that you will strictly observe the XXXVIth and XXXVIIth canons made the last convocation, so as none of them be admitted hereafter to execute

any ecclesiastical function without subscription, according to the tenor of the said canons: for the others already placed, as aforesaid, they are of two kinds, and might both of them, having heretofore subscribed, be (as revolters from the same) by an ordinary course of justice, deposed from the ministry; the one offereth and promiseth conformity, but is as yet unwilling again to subscribe; the other in his obstinacy will be induced to yield to neither. Touching such as will be contented to observe the orders and ceremonies prescribed in the communion book, and fully to conform themselves accordingly to the use of their ministry; forasmuch as the near affinity between conformity and subscription doth give apparent hope, that being men of sincerity, they will in a short time frame themselves to a more constant course, and subscribe to that again, which they by their practice testify not to be repugnant to the word of God, your lordship may (an act being made to remain upon record of such their offer and promise) respite their subscription for some short time; advertising me of the names of every such person, with all convenient speed, that thereupon such further order may be taken, as shall be thought expedient in that behalf. Concerning those that utterly refuse both conformity and subscription, they are either curates, or stipendiary preachers, commonly called lecturers, or men beneficed; for the two first, the interest they have in their places is only by license from their ordinary, and they are no longer to enjoy them "nisi quamdiu se bene gesserint," so as upon such their refusal, your lordship is to suspend them "ab officio;" which is in effect a deprivation to them, and consequently by the law they are not to be restored, until they shall both conform themselves and subscribe. As touching the third sort, for that it would not much trouble them, nor work the conformity that is desired, to put them to silence, if they might enjoy their benefices, because I suppose they

have been heretofore particularly admonished by your lordship, but especially by his majesty's proclamation[a], dated the 16th of July, MDCIV. either to conform themselves to the church, and obey the same, or else dispose of themselves and their families some other way, as being men unfit, for their obstinacy and contempt, to occupy such places, they are in another sort to be proceeded with; for in refusing to conform themselves to the use of the communion book, or in derogating or depraving any thing therein contained, or any part thereof, they fall within the compass of divers laws, and particularly of the statute "primo Elizabethæ" entituled "An act for uniformity" etc. and so are subject to deprivation. I wish your lordship diligently to peruse the said act, being printed with the communion book, and for your better satisfaction herein, do advertise you, that the lord chief justice, and Mr. attorney general being conferred with, are very resolute, that you may lawfully, by virtue thereof, so proceed against such obstinate persons. The form, which is to be used in their deprivation, your chancellor very well knoweth; only let me put you in mind of the CXXII[d] canon, that your lordship in your own person pronounce the sentence; and if any by you so deprived shall appeal to me, I will be careful to execute the XCVIII[th] constitution for stay thereof, until the party shall subscribe: not doubting but that his majesty, if there be cause, will take the like order for the delegates. Furthermore, if any of the said disordered persons shall willingly transgress any of the first twelve canons, or of the three last, let the penalty therein mentioned, be duly and respectively inflicted upon them. I have not hitherto [b]

[a] *proclamation dated the* 16th] See N°. CXX.

[b] *I have not hitherto*] The apology of the ministers of the diocese of Lincoln who refused to subscribe and conform, was presented to the king on the 1st of December, 1604. See the "Abridgment" printed 1605.

greatly liked of any severe course; but perceiving by certain instructions lately cast abroad, that the present opposition so lately prosecuted, doth rather proceed from a combination of sundry factious, who in the pride of their mind are loath to be foiled (as they term it) than of any religious care or true conscience; I have thought it very necessary, for the repressing of such irregular designments, earnestly to commend to your lordship the careful execution of these directions. And so with my very hearty commendations, I commit your lordship unto the tuition of the Almighty. At Lambeth the 22. of December, MDCIV.

Your lordship's very loving friend and brother,

R. CANTUAR.

The archbishop of Canterbury's letter touching recusants.—Reg. Bancroft. 129. b.

"SALUTEM in Christo." I have written to your lordship before concerning your proceeding with your factious ministers, and that you should not desist by depriving one, two, or three at once, until you have purged your diocese of them; now I am to signify unto you, that his most excellent majesty hath [c], with the

[c] *his most excellent majesty hath*] This refers probably to a speech made by the king to the privy council on the day before the judges gave their sentence in the star chamber. It is reported thus by sir George Croke (Rep. Jac. 2. p. 37.) "Before the breaking up of the assembly [in the star chamber] many of the lords declared that some of the puritans had raised a false rumour of the king, how he intended to grant a toleration to papists; which offence the judges conceived to be heinously finable by the rules of the common law, either in the king's bench, or by the king in council; or now, since the statute of 3 Henry VII. in the star chamber. And the lords severally declared, how the king was discontented with the said false rumour, and had made but the day before a protestation unto them, that he never in-

admiration of all that heard him, most fully, rarely, and resolutely declared himself (as often heretofore) touching such courses, as he wisheth should be held with popish recusants, being most desirous to rid his kingdom as well of these pestiferous adversaries, as of the former; to which purpose he hath dealt very thoroughly and privily both with the lords of his right honourable privy council, and with his judges; expecting likewise that we, who are bishops, should not be negligent in discharging of our duties, so far as lieth in us, for the furthering and effecting of so royal and so religious a designment. As therefore my place requireth, and not without due and careful deliberation, I do commend to your good lordship (as I also have done to the rest of our brethren) these particular points following to be thoroughly by you observed: first, your lordship is not to depend altogether upon the CXIV[th] canon, expecting still the minister's diligence in presenting of recusants, but to use your own best endeavour, by the labour and means of all your officers and friends, to inform yourself as well of the number, as of the qualities of them; and the same to certify unto me with all convenient speed: secondly, because order and discretion in all proceedings are principally to be observed, (whereof without my advice, your

tended it, and that he would spend the last drop of his blood in his body before he would do it; and prayed that before any of his issue should maintain any other religion than what he truly professed and maintained, God would take them out of the world." The ministers of the king had already information (March 1605) respecting the conspiracy that was forming, and was fomented by the Romanists. A remarkable letter written in October 1605 at Paris, shews how extensive and desperate were their machinations: "Our priests are very busy about petitions to be exhibited to the king's majesty at this parliament, and some further designs upon refusal. These matters are secretly managed by intelligence with their colleagues in those parts where you reside, and with the two nuncios. I think it were necessary for his majesty's service that you found means to have privy spies amongst them, to

lordship will be sufficiently mindful) and for that there being differences in the dispositions of the said popish recusants, and cannot all of them be reformed together, your lordship is to take notice by all the means before expressed, first, of all the recusants in your diocese, who they be, that are the most busy in seeking to seduce others either abroad, or at home to their own families, by bringing up their children in popery, and refusing to entertain any to serve them, especially in places of trust, that are not recusants; secondly, of all such persons of any note, who are become recusants, since his majesty's coming into England, and of them that are the most insolent, as the manner of those usually is, who are newly seduced: thirdly, these three observations thus premised, your lordship is to procure, as much as in you lieth, that for the faithful accomplishment of the LXVI[th] canon, no pains may be spared in conferring with the said recusants, especially with the two sorts before mentioned, who are the heads and leaders of the rest, that thereby (if it be possible) they may be reduced from their errors, and no sweet or kind means omitted for the recovering of them to the truth: fourthly, in this conference you are to do your best for the reclaiming of those, that are already excommunicated in their private parishes, with whom if such travail will nothing prevail,

discover their negociations. Something is at present in hand amongst these desperate hypocrites, which, I trust, God shall divert, by the vigilant care of his majesty's faithful servants and friends abroad, and prudence of his council at home." (Birch's Negociat. of sir T. Edmondes, p. 233.) There can be little doubt that Cecil had acted upon this suggestion long before the discovery of the gunpowder plot in the November following; and there is reason to believe that he had intimation of the plot itself and communicated it to his royal master, before the receipt of the letter written to lord Monteagle, the interpretation of which has commonly been taken as a decisive proof of the king's sagacity. Winwood, Memor. 2. 170. Lodge, Illustrations, 3. 301. Hallam, vol i. p. 438. Lingard, vol. vi. p. 51.

because it is either obstinately rejected, or wilfully contemned, then let them be publicly denounced in your cathedral church for excommunicate persons, without any forbearance or partiality, according to the LXV h canon, if happily such a notorious punishment may be a means to bring them to repentance: fifthly, if you have in your diocese sundry of the first sort, of the said busy and seducing recusants, not yet excommunicated (with whom conference will prevail no more, than with the former beforementioned) then call two or three of the chiefest of them (for dignity, place, and perverseness, such as are heads and leaders of the rest) forthwith by your ordinary authority; and if either they will not appear, after sufficient admonition to be carefully executed, so as they may not plead any probable ignorance, or appearing, shall obstinately refuse to go to church, (as our phrase is,) let them be "in scriptis" excommunicated, and after forty days certified unto the chancery. This direction, touching the said first sort, will serve for the second, such as are of latter years revolted. Sixthly, of those that before stood excommunicated, and so have been publicly denounced according to the said canon, if there be amongst them any of the said two sorts, then let two or three of the principallest of them, as is aforesaid, that have stood excommunicated forty days, be presently certified unto the said court. And for your better encouragement herein, if you shall advertise me of any such certificate, I will use my uttermost endeavour to procure the writ "De excommunicato capiendo," and take such order as that the same shall be faithfully and speedily served; that so they, who have not learned how to use their former liberty, may be better instructed by chastisement in prison. Your lordship knoweth, that the people are commonly carried away by gentlemen recusants, landlords, and some other ringleaders of that sort, so as the winning or punishing of one or two of them is a reclaim-

ing, or kind of bridling of many, that do depend upon them; which hath induced me to prescribe to your lordship by the directions precedent such a moderation and course, as I think fit to be generally pursued; hoping that when they, who have been seduced under pretence of toleration, or I know not what vain imagined thing, shall hereby find that such disobedient persons are no longer to be borne with, but that the laws, made in that behalf, are carefully to be executed, they will be better advised, and reform themselves; and that the rest of such simple people will be more heedful hereafter, that they be not misled and carried away by lewd persuasions of any person whatsoever. Lastly, we that are bishops, being all of us (as is supposed) justices of the peace, it is much marvelled, that so many priests and Jesuits range about in our dioceses, without any impeachment or regard almost had of them; we ourselves seldom or never seeking after them; it is said, that our remissness therein doth discourage the rest of the justices of peace from taking such pains in that behalf, as heretofore they have been accustomed, and that they would be as ready as they were to join with us in that service, if they might see our willingness thereunto, either by effecting something ourselves, or by our intelligence (having all the ministers of our diocese at our commandment) would give them our best directions, where those impostors might be met with, and apprehended. These things, I fear, may justly be objected against some of us; and I am driven now and then into some straits, how to excuse such our security. I do therefore very heartily pray your lordship, to think thereof, not that I have any cause to suspect you to be one of the number (if I shall speak properly), but rather to inform you what is expected at our hands, that with better discouragement we may therein discharge our duties. And thus not doubting, but that your lordship will have due regard both of this

last point, and likewise of all the premises, and letting you understand, that I keep the copy of this my letter, that if any of our brethren shall neglect them, or any part of them, I may have the same for my discharge, and every one of us be driven to bear his own burden; I commit your lordship, with my hearty commendations, unto the tuition of Almighty God. From Lambeth the twelfth of March, MDCIV.

Your lordship's very loving friend and brother,

R. CANTUAR.

Postscript. After I had written this letter, I received, upon occasion, this direction from his majesty, that when your lordship depriveth any of your factious ministers for their obstinacy, you shall take such order with the next incumbent, as that the party so deprived may have two or three months' liberty to remain still in the parsonage or vicarage house, if he have no other of his own; that so he may have that time to provide for himself, and not be thrust out into the streets upon a sudden.

CXXII*.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
RIC. BANCROFT 1.	1605.	JACOB. I. 3.

Articles to be inquired of in the first metropolitical visitation of the most reverend father Richard, archbishop of Canterbury, in the year of our Lord God 1605.

THE tenor of the oath to be ministered to the churchwardens and swornmen. You shall swear that all

Articles to be] These articles were provided for the following dioceses, viz. Exeter, Harwich, Chichester, St. David's, Llandaff, Hereford, Worcester, Bristol, Bath and Wells, Coventry and Lichfield, and they seem to have been framed more especially for the purpose of enforcing the

affection, favour, hatred, hope of reward and gain, or fear of displeasure or malice set aside, you shall, upon due consideration of the articles given you in charge, present all and every such person of or within your parish, as hath committed any offence or fault, or made any default mentioned in these or any of these articles; or which are vehemently suspected and defamed of any such offence, fault, or default: wherein you shall deliver uprightly and according to truth, neither of malice presenting any contrary to truth, nor of corrupt affection sparing to present any, and so conceal the truth: having in this action God before your eyes, with an earnest zeal to maintain truth and to suppress vice. So help you God and the contents of this book.

Imprimis, Whether have you in your several churches and chapels the book of constitutions or canons ecclesiastical, ready to be read by your minister according to his majesty's pleasure, published by his highness' authority, under the great seal of England: and whether hath your minister read the same or any part thereof, upon Sundays and holidays in the afternoon, before divine service accordingly; yea or no.

2. Item, Whether is there any within your parish that hath or doth impugn the king's majesty's supremacy and authority in causes ecclesiastical; or do any way or in any part impeach the same, being restored to the crown by the laws of this realm established in that behalf.

3. Item, Whether is there any in your parish that denyeth the church of England, by law established under the king's most excellent majesty, to be a true and an apostolical church, teaching and maintaining the doctrine of the apostles.

observance of the canons which had recently been passed by the convocation and ratified by the king. These articles are taken from a copy of the original edition of 1605 now preserved in the Bodleian. (Douce A. 265.)

4. Item, Whether is there any in your parish that doth impugn any of the articles of religion agreed upon in anno 1562, and established in the church of England.

5. Item, Whether doth your minister use to pray for the king's majesty king James, and for the queen's majesty, the prince, and all their royal progeny, with addition of such style and titles, as are due and appertaining to his majesty; and exhort the people to obedience to his highness, and other magistrates being in authority under him.

6. Item, Whether is there any in your parish that do impugn or speak against the rites and ceremonies established in the church of England or the lawful use of them. You shall present their names.

7. Item, Are there any in your parish that do impugn the government of the church of England under the king's most excellent majesty, by archbishops, bishops, deans, archdeacons, and the rest that bear office in the same; affirming that the same is anti-christian or repugnant to the word of God.

8. Item, Is there any in your parish that doth impugn the form of consecrating and ordaining of archbishops, bishops, priests, or deacons; affirming that the same is repugnant to the word of God, or that they who are so ordained in that form are not lawfully made.

9. Item, Is there any in your parish that doth hold or frequent any conventicles or private congregations; or any that do either make or maintain any constitutions agreed upon in any such private conventicles or assemblies.

10. Item, Whether any persons have lurked and tippled in taverns or alehouses upon Sundays or other holidays, or used his or their manual craft or trade upon the said days or any of them, and especially in the time of divine service.

11. Item, Are there any in your parish that do or

have profaned (since his majesty's last general pardon) the Lord's day called Sunday, or other holidays, contrary to the orders of the church of England prescribed in that behalf.

12. Item, Whether is the prescript form of divine service used by your minister upon Sundays and holidays according to the book of Common Prayer: and whether doth your minister duly observe all the orders, rites, and ceremonies prescribed in the said book of Common Prayer, as well in reading public prayers, the litany, as also in administering the sacraments in such manner and form as in the book of Common Prayer is enjoined.

13. Item, Whether hath any person in your parish quarrelled or stricken, or used any violence unto, or with, your minister or any other in the church or churchyard; or used himself disorderly in the church by filthy and profane talk, or any other rude and immodest behaviour.

14. Item, Whether is that due reverence and humble submission used within your church or chapel in the time of divine service, as by the 18th constitution is prescribed: whether each one in the church or chapel do apply and order himself there in time of divine service, as by the latter part of the same constitution is most commendably enjoined.

15. Item, Whether the churchwardens and questmen from time to time do their diligence in not suffering any idle persons or loiterers to abide either in the churchyard or church-porch in service or sermon time: but causing them either to come into the church, to hear divine service, or to depart, and not to disturb such as are hearers there.

16. Item, Whether the churchwardens do provide against every communion, with the advice of the minister, a sufficient quantity of fine white bread, and of good and wholesome wine for the number of the communicants that shall receive; and that to be brought in a clean

and sweet standing pot of pewter, or of other pure metal.

17. Item, Whether doth your minister administer the holy communion so often and at such times, as that every parishioner may receive the same at the least thrice in every year, whereof once at Easter, as by the book of Common Prayer is appointed: and whether doth your minister receive the same himself on every day that he administreth it to others, and use the words of the institution, according to the Book, at every time that the bread or wine is renewed, in such manner and form, as by the proviso of the 21st canon is directed; or wherein is he faulty: and whether is warning given by him beforehand for the communion, as the 22d canon requireth.

18. Item, Whether hath your minister admitted any notorious offenders or schismatics to the communion, contrary to the 26th and 27th constitutions.

19. Item, Whether the minister, together with the churchwardens and questmen, do take diligent heed and care, not only that all and every of your own parishioners do receive thrice in every year as aforesaid, but also that no strangers of any other parish do come often and commonly to your church from their own parish church: and you are now to present the names of all those, who being sixteen years of age or upwards, have not in their own parish received the communion at or since Easter last.

20. Item, Have any in your parish been godfathers or godmothers to their own children: or whether your own minister or any other godfathers and godmothers have used or do use any other form, answer, or speech in baptism, than is in the book of Common Prayer appointed: or whether any which have not communicated, be admitted to be godfathers or godmothers.

21. Item, Whether doth your minister use to sign the children with the sign of the cross, when they are baptized, according to the book of Common Prayer: and

whether he hath referred or wilfully refused to baptize any infant in his parish being in danger, having been duly informed of the weakness thereof: and whether the child hath died in his default without baptism.

22. Item, Whether is your minister continually resident with you upon his benefice: or for how long time hath he been absent: and where is he resident for the most part, and what other benefice hath he.

23. Item, Whether doth your minister preach usually, according to the constitutions, either in his own cure with you, or else in some other church or chapel near adjoining, where no preacher is: or how often hath he been negligent in this behalf.

24. Item, Whether is your minister a preacher allowed: if yea, then by whom; if not, whether doth he procure sermons to be preached among you once in every month at the least, by such as are lawfully licensed.

25. Item, Whether hath your minister another benefice; and whether doth he supply his absence by a curate that is sufficiently licensed to preach in that cure of his, whereon he himself is not resident: or otherwise in case he doth not find a preaching minister there, by reason of the smallness thereof, whether doth he preach at both of his benefices usually himself.

26. Item, Whether is your curate licensed to serve by the bishop of this diocese or any other: and by whom.

27. Item, Whether doth your minister or curate serve any more cures than one: if yea, then what other cure doth he also serve.

28. Item, If your minister be not licensed to preach as aforesaid, whether doth he take upon him to expound the scriptures, either in his own cure or elsewhere: if yea, then you are to present him, and specify the place where he so hath preached.

29. Item, Whether hath any person been admitted to preach within your church or chapel, but such as you

have well known to be sufficiently licensed: whom have you so admitted, you shall present their names, and how often have any such been so admitted to preach, and by whose procurement: and whether have you caused any strange preacher, licensed or not licensed, to subscribe his name, together with the day when he preached: and if he were licensed, then by whom was he licensed: and whether have they or any other preached in your church, not being soberly or decently apparelled.

30. Item, Whether doth your lecturer and preacher read divine service and administer the sacraments in his own person twice every year, observing all the ceremonies in the book of Common Prayer established.

31. Item, Is there any in your parish that do refuse to have their children baptized, or themselves to receive the communion at the hands of your minister because he is no preacher: you shall present their names: and if your minister sithence the publishing of the said book of canons hath received any such persons (being not of his own cure) to the communion, or baptized any of their children, you shall likewise present him.

32. Item, Whether doth your minister wear the surplice whilst he is saying the public prayers, and ministering the sacraments: and if he be any graduate, whether then doth he also wear upon his surplice, during the times aforesaid, such a hood as by the orders of his university is agreeable to his degree.

33. Item, Whether doth your minister every Sunday and holiday before evening prayer, for half an hour and more, examine and instruct the youth and ignorant persons of his parish in the Ten Commandments, Articles of Belief, and in the Lord's Prayer, as also in the Catechism set forth in the book of Common Prayer: and whether do all fathers, mothers, masters and mistresses, cause their children, servants, and apprentices to come thither to hear and to be instructed and taught therein; and those

that do not their duties herein you shall present their names.

34. Item, Whether hath your minister without license from the archbishop, bishop of the diocese, or his chancellor, solemnized marriage betwixt any parties, the banns not being three several Sundays or holydays first published in time of divine service, in the several churches or chapels of their several abode, according to the book of Common Prayer; and that also betwixt the hours of 8 and 12 in the forenoon: and furthermore, whether hath your minister since the last canons published, solemnized any marriage betwixt any persons being under the age of twenty-one years, although the banns be thrice asked, before such time as the parents have made known unto him their consent thereunto: and whether hath he married any of another diocese: who are they: and by what authority: and when.

35. Item, Whether doth your minister every Sunday bid holidays and fasting days, as by the book of Common Prayer is appointed.

36. Item, Whether doth your minister every six months denounce in his parish all such of his parish as do persevere in the sentence of excommunication, not seeking to be absolved: and whether hath he admitted into the church any person excommunicate, without a certificate of his absolution from the ordinary or other competent judge.

37. Item, Whether doth your minister, being a preacher, endeavour and labour diligently to reclaim the popish recusants in his parish from their errors, if there be any such abiding: and whether is he painful in visiting the sick according to the book of Common Prayer.

38. Item, Whether is your parson, vicar, or curate used to frequent or to be over-conversant with, or a favourer of, recusants, whereby he is suspected not to be sincere in religion.

39. Item, Whether do you know or have heard of any payment, composition, or agreement to or with the bishop, chancellor, or any inferior officer ecclesiastical, for suppressing or concealing of excommunication, or other ecclesiastical censure, of or against any recusant: what sum of money or other consideration hath been received or promised, by or to, any of them in that respect; by whom; and with whom; and for what sum or other consideration.

40. Item, Whether is there in your church or chapel one parchment register book provided for christenings, marriages, and burials, and whether is the same duly and exactly kept according to the constitutions on that behalf provided.

41. Item, Whether hath your minister or any other preacher baptized children, solemnized marriage, churched any woman, or ministered the holy communion in any private house or houses, otherwise than as by law is allowed, yea or no: if yea, then where; whom; when and how often hath he offended in any of the premises.

42. Item, Whether hath your minister taken upon him to appoint any public or private fasts, prophecies, or exercises not approved and established by law or public authority: or hath he attempted upon any pretence either of possession or obsession, by fasting and prayer to cast out devils, yea or no.

43. Item, Whether hath your minister, or any other person or persons within your parish, used to meet in any private house or other place, there to consult together, how to impeach or deprave the book of Common Prayer, or the doctrine or discipline of the church of England; if yea, then you shall present them all.

44. Item, Whether doth your minister use such decency and comeliness in his apparel as by the 74th constitution is enjoined.

45. Item, Whether do you know any in your parish

that having heretofore taken upon him or them the order of priesthood or of a deacon, hath since relinquished the same, and betaken himself in the course of his life as a layman neglecting his vocation; if yea, then you shall present his name and the place of his abode.

46. Item, Doth any take upon him to teach school in your parish without special license of his ordinary: and whether doth your schoolmaster bring his scholars to the church to hear divine service and sermons.

47. Item, Whether is your minister noted or defamed to have obtained his benefice by simony; or reputed to be an incontinent person, a common drunkard, a common gamester, or player at dice, or faulty in any other crime punishable by the ecclesiastical censures, whereby he is offensive and scandalous to his function or ministry.

48. Item, Whether have you provided the book of Common Prayer lately set forth by his majesty's authority, and the book of Homilies: and whether have you in your church or chapel a font of stone set up in the ancient usual place; a convenient communion table with a carpet of silk, or some other decent stuff, and a fair linen cloth to lay thereon at the communion time: and whether is the same table then placed in such convenient sort within the chancel or church, as that the minister may be best heard in his prayer and administration, and that the greater number may communicate: and whether are the Ten Commandments set upon the east end of your church or chapel, where the people may best see and read them, and other sentences of holy scripture written on walls likewise for that purpose.

49. Item, Whether have you a convenient seat for your minister to read service in, together with a comely pulpit set up in a convenient place with a decent cloth or cushion for the same, a comely large surplice, a fair communion cup of gold, silver, or other pure metal, and a cover agreeable for the same, with all other things and

ornaments necessary for the celebration of divine service and administration of the sacraments.

50. Item, Whether are your churches and chapels, with the chancels thereof, and your parsonage or vicarage house, and all other housing thereto belonging in good reparations, and decent and comely kept, as well within as without, the seats well maintained, a sure coffer with three locks and keys for the safe keeping of your register book, your churchyards well fenced and kept without abuse: if not, then through whose default and what defects are.

51. Item, Whether have you or your predecessors, churchwardens there, suffered since the last pardon any plays, feasts, banquets, churchales, drinkings, or any other profane usages to be kept in your church, chapel, or churchyard, or bells to be rung superstitiously upon holidays or days abrogated by law.

52. Item, How many inhabitants within your parish, men or women, above the age of sixteen years, do refuse to frequent divine service established by public authority of this realm, or to receive the holy communion: what be their names, and of what degree, state, or trade of life are they: you are to present them all of both sorts.

53. Item, Whether do any of the inhabitants of your said parish entertain within their house any sojourners, lodgers, or any common resorters and guests, who refuse to frequent divine service, or receive the holy communion as aforesaid: what be their names, of what quality or condition they are.

54. Item, Whether are any of the said popish recusants of insolent behaviour, not without public offence, or do boldly busy themselves in seducing and withdrawing others, either abroad or in their own families, by instructing their children in popish religion, or by refusing to entertain any, especially in place of greatest service or

trust, but such as concur with them in opinion of religion.

55. Item, How long the said popish recusants have obstinately abstained either from divine service, or from the communion, as is aforesaid: whether of any long time, or only since his majesty's reign.

56. Item, Whether is your minister a preacher sufficiently qualified: and if he be, whether doth he from time to time, offer quiet and temperate conference to reclaim the said popish recusants from their errors: and whether they or any of them do refuse such conference with your minister or any other preacher who shall present unto them his diligence in that behalf.

57. Item, What persons aforesaid within your parish, either for the offence aforesaid, or for any other contumacy or crime, do remain excommunicate: what be their names; and for what cause; and how long they have so stood excommunicate.

58. Item, Whether were you, the churchwardens, and questmen chosen by the consent of the minister and parishioners; and whether have the churchwardens before you given up a just account for their time, and delivered to you, their successors, whatsoever money or other things of right belonging to the church, which was in their hands: and whether do you, and every of you, diligently see that all the parishioners do duly resort to their church every Sunday and holiday, and there continue the whole time of divine service, and none to walk or stand idle or talking in church, or church-porch, or churchyard, during that time: and whether do all the parishioners and their families accordingly, frequent their parish church, and there behave themselves soberly, attentively, and decently, all the time of divine service, yea or no: if no, then you shall present their names.

59. Item, Whether do all persons above the age of sixteen years usually resort to hear divine service upon

Sundays and holidays approved; and whether hath each one of your parishioners (being above the age of sixteen years aforesaid) received the holy communion thrice this last year, chiefly once at Easter in your parish church kneeling: if no, then you shall present their names which have not so done.

60. Item, Whether have you a fit parish clerk, aged twenty years at least, of honest conversation, and sufficient for reading and writing: and whether he be paid his wages without fraud, according to the most ancient custom of your parish: if not, then by whom he is so defrauded and denied; and whether he be chosen by the parson or vicar, or by whom.

61. Item, Whether have any in your parish been married within the prohibited degrees forbidden by the law of God, and expressed in a certain table published by authority in anno 1563: if yea, then you shall present their names: and whether have you the said table publicly set up in your church and fastened to some convenient place there.

62. Item, Whether doth any heretofore divorced keep company with any other at bed and at board: what be their names: when and where were they married.

63. Item, Doth your minister use the form of thanksgiving to women after childbirth: and whether hath he admitted any thereunto that was begotten with child in adultery or fornication, without license of his ordinary: and whether have any married wives refused to come to church according to the book of Common Prayer, to give God thanks after childbirth: if any be faulty herein, you shall present their names.

64. Item, Whether have you any in your parish, which heretofore being popish recusants or sectaries, have since conformed themselves, and come to church to hear divine service, and receive the sacraments: if yea, then who they are, and how long sithence have they so

conformed themselves: and whether do they still remain and abide in that conformity.

65. Item, What recusant papists are there in your parish, and whether do they or any of them keep any schoolmaster in their house which cometh not to church to hear divine service and receive the holy communion: what is his name, and how long hath he taught.

66. Item, Whether have you any in your parish, to your knowledge, or by common fame and report, which have committed adultery, fornication, or incest, which have not been publicly punished to your knowledge: if yea, then with whom: are there any which are, or by common fame and report are reputed and taken to be common drunkards, blasphemers of God's holy name, common and usual swearers, filthy speakers, usurers, simoniacal persons, fighters, brawlers, or quarrellers in church or churchyard: you shall not fail to present their names.

67. Item Whether have any in your parish received or harboured any woman gotten with child out of wedlock, and suffered them to depart again without punishment first inflicted on them by their ordinary: you shall truly present, as well the party harbouring, as harboured: and who is suspected to be father of her child.

68. Item, Whether hath any person within your parish promised or paid any sum of money, or other reward, directly or indirectly, by himself or any other, or commuted his or her penance for any incest, adultery, fornication, or any other ecclesiastical crime: if so, then with whom; when; and for what; and how hath the same been employed.

69. Item, Whether is your chancellor, and every other inferior ecclesiastical judge, a master of arts or bachelor of laws at the least, and learned and practised in the civil and ecclesiastical laws, a man of good life and conversation, and zealously affected in religion.

70. Item, Whether any person or persons suspected or detected heretofore of incontinency, and therefore departing out of your parish for a season, is now returned again, or in what place else is he or she now abiding to your knowledge, or as you have heard: you shall not fail to present the whole truth in that behalf.

71. Item, Whether are there in your parish any wills not yet proved, or the goods of the dead, dying intestate, left unadministered by authority of the ordinary in that behalf: you shall not fail to present the executors and all others faulty and culpable therein.

72. Item, Hath any chancellor, commissary, archdeacon, official, or any other exercising ecclesiastical jurisdiction within this your diocese; or any register, apparitor, or minister belonging to the same ecclesiastical courts, exacted extraordinary or greater fees than heretofore of late have been accustomed: and whether is there a table of the rates of all fees set up in their several courts and offices: and whether they or any of them have taken upon them the office of informers or promoters to the courts, or any other way abused themselves in their offices, contrary to the law and canons in that case provided.

73. Item, Do any of or within your parish affirm, or have they affirmed, that the sacred synod of this nation assembled by the king's authority, is not the true church of England by representation: or hath or doth any of your parish affirm that no persons either of the clergy or laity that were not pertinently present in the said late synod are subject to the decrees thereof in causes ecclesiastical, made and ratified by the king's supreme authority, because they gave not up their voices unto them: ye shall present their names.

74. Item, Is there any among you that have or do deprave the foresaid late synod, saying or affirming that the same was a company of such persons as did conspire

together against godly and religious professors of the gospel; and that therefore both they and their proceedings in that behalf are and ought to be despised and contemned, or words to the like effect: you shall not fail to present their names.

75. Item, What number of apparitors hath every several judge ecclesiastical; and wherein and in what manner is the country overburdened and grieved by the said apparitors.

76. Item, Whether do you know of any other matter of ecclesiastical cognizance, worthy the presentment in your judgment, above not expressed, which you hold fit to be reformed: and if you do, you shall likewise present the same by virtue of your oaths.

CXXIII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Ric. Bancroft 1.	1605.	Jacob. I. 3.

Certain Articles of abuses, which are desired to be reformed in granting of prohibitions; exhibited by Richard Bancroft, archbishop of Canterbury, in the name of the whole clergy, to the lords of the privy council.—Coke's II. Institut. fol. 601. seqq.

I. "HIS majesty hath power to reform abuses in prohibitions." The clergy well hoped, that they had taken a good course in seeking some redress at his

Certain articles of abuses] Connected with the claims advanced at this period by the lovers of prerogative was the attempt made by the archbishop in these articles to ensure to the ecclesiastical courts the right of "interpreting all statute laws concerning the clergy." The articles were "exhibited in Michaelmas term anno 3 Jacobi regis to the lords of the privy council against the judges of the realm; and the answers thereunto upon mature deliberation and consideration, in Easter term

majesty's hands concerning sundry abuses offered to his ecclesiastical jurisdiction, by the over frequent and undue granting of prohibitions; for both they and we supposed (all jurisdiction both ecclesiastical and temporal being annexed to the imperial crown of this realm) that his highness had been held to have had sufficient authority in himself, with the assistance of his council, to judge what is amiss in either of his said jurisdictions, and to have reformed the same accordingly; otherwise a wrong course is taken by us, if nothing may be reformed, that is now complained of, but what the temporal judges shall of themselves willingly yield unto. This is therefore the first point, which upon occasion lately offered before your lordships by some of the judges, we desire may be cleared; because we are strongly persuaded, as touching the validity of his majesty's said authority, and do hope we shall be able to justify the same, notwithstanding any thing that the judges or any other can allege to the contrary.

II. "The forms of prohibitions prejudicial to his majesty's authority in causes ecclesiastical." Concerning the form of prohibitions, forasmuch as both the ecclesiastical and temporal jurisdictions be now united in his majesty,

following, by all the judges of England and the barons of the exchequer, were with one unanimous consent under their hands (resolutions of highest authorities in law) delivered to the lords of the council." "Which answers and resolutions although they were not enacted by authority of parliament (as our statute of Articuli cleri in 9 Edw. II. was), yet being resolved unanimously by all the judges of England and barons of the exchequer, are for matters in law of highest authority next unto the court of parliament." "It was resolved by all the judges of England that the interpretation of all statutes concerning the clergy, being parcel of the laws of the realm, do belong to the judges of the common law." Coke's Inst. P. 2. pp. 601, 618. See also Collier, vol. ii. p. 688. Hallam, vol. i. p. 349. The archbishop made another attempt in favour of his articles in the year 1608; but the opposition of the judges was so strong, that the king was unwilling to support him. (Rapin, vol. ii. p. 176.) The ecclesiastical jurisdiction and the mode of exercising it were matter of constant complaint on the

which were heretofore "de facto" though not "de jure" derived from several heads, we desire to be satisfied by the judges, whether, as the case now standeth, the former manner of prohibitions heretofore used, importing an ecclesiastical court to be "aliud forum a foro regio," and the ecclesiastical law not to be "legem terræ," and the proceedings in those courts to be "contra coronam et dignitatem regiam," may now without offence and derogation to the king's ecclesiastical prerogative be continued, as though either the said jurisdictions remained now so distinguished and severed, as they were before, or that the laws ecclesiastical, which we put in execution, were not the king's and the realm's ecclesiastical laws, as well as the temporal laws.

III. "A fit time to be assigned for the defendant, if he will seek a prohibition." As touching the time when prohibitions are granted, it seemeth strange to us, that they are not only granted at the suit of the defendant in the ecclesiastical court after his answer, whereby he affirmeth the jurisdiction of the said court, and submitteth himself unto the same, but also after all allegations and proofs made on both sides, when the cause is fully in-

part of the house of commons, and made an important addition to the list of grievances presented by them to the king in the year 1610 (see No. CXXVI.) But the rudest shock, which that power experienced during the reign of James, was in the year 1611, when sir Edward Coke, then chief justice of the common pleas, refused to sit as a member of the high commission, and the superior jurisdiction of the common law courts was successfully maintained before the privy council in a case of adultery by the firmness of his court. On that occasion "the king declared that by the advice of the council, and by the advice of the justices of the king's bench, and the barons, he would reform the high commission in divers points, and reduce it to certain spiritual causes. And the lord treasurer (Cecil, earl of Salisbury) said that the principal feather was plucked from the high commissioners, and nothing but stumps remaining; and that they should not intermeddle with matters of importance, but of petit crimes." Coke's 12 Report, pp. 82. 84. Instit. l. 4. c. 74. p. 335.

structed and furnished for sentence; yea after sentence, yea after two or three sentences given, and after execution of the said sentence or sentences, and when the party for his long continued disobedience is laid in prison upon the writ of "De excommunicato capiendo;" which courses, forasmuch as they are against the rules of the common law in like cases, as we take it, and do tend so greatly to the delay of justice, vexation and charge of the subject, and the disgrace and discredit of his majesty's jurisdiction ecclesiastical, the judges, as we suppose, notwithstanding their great learning in the laws, will be hardly able in defence of them to satisfy your lordships.

IV. "Prohibitions unduly awarded heretofore in all causes almost of ecclesiastical cognizance." Whereas it will be confessed, that causes concerning testaments, matrimony, benefices, churches, and divine service, with many offences against the I. II. III. IV. V. VII. IX. and X. commandments, are by the laws of this realm of ecclesiastical cognizance; yet there are few of them, wherein sundry prohibitions have not been granted, and that more ordinarily of latter times, than ever heretofore; not because we, that are ecclesiastical judges, do give greater cause of such granting of them, than before have been given, but for that the humour of the time is grown to be too eager against all ecclesiastical jurisdiction. For whereas (for example's sake) during the reign of the late queen of worthy memory, there have been 488. prohibitions, and since his majesty's time 82. sent into the court of the arches; we humbly desire your lordships, that the judges may be urged to bring forth one prohibition of ten, nay, the twentieth prohibition of all the said 488. and but 2. of the said 82. which upon due considerations with the libels in the ecclesiastical court, they shall be able to justify to have been rightly awarded: we suppose they cannot; our predecessors and we ourselves have ever been so careful not to exceed the compass and limits of

the ecclesiastical jurisdiction; which if they shall refuse to attempt, or shall not be able to perform, then we refer ourselves to your lordships' wisdoms, whether we have not just cause to complain, and crave restraint of this over-lavish granting of prohibitions in every cause without respect. That which we have said of the prohibitions in the court of the arches, we verily persuade ourselves may be truly affirmed of all the ecclesiastical courts in England, which does so much the more aggravate this abuse.

V. "The multiplying of prohibitions in one and the same cause, the libel being not altered." Although it hath been anciently ordained by a statute, that when a consultation is once duly granted upon a prohibition made to the judge of holy church, the same judge may proceed in the cause, by virtue of that consultation, notwithstanding any other prohibition to him delivered, provided that the matter in the libel of the same cause be not engrossed, enlarged, or otherwise changed; yet notwithstanding prohibitions and consultations in one and the same cause, the libel being no ways altered according to the said statute, are lately so multiplied, as that in some one cause, as aforesaid, two, in some three, in some other six prohibitions, and so many consultations have been awarded, yea, divers are so granted out of one court. As for example, when after long suit a consultation is obtained, it is thought a sufficient cause to send out another prohibition in revocation of the said consultation, upon suggestion therein contained, that the said consultation, "minus commode emanavit." By which pretty device the judges of those courts, which grant prohibitions, may, notwithstanding the said statute, upon one libel not altered, grant as many prohibitions as they list, commanding the ecclesiastical judges in his majesty's name, not to proceed in any cause, that is so divers times by them prohibited; whereby the poor plaintiffs do not know, when their consultations, procured with great charge, will hold, and so

finding such and so many difficulties, are driven to go home in great grief, and to leave the causes in Westminster hall, the ecclesiastical judges not daring to hold any plea of them. Now may it please your lordships, the premises being true, we humbly desire to hear, what the judges are able to produce for the justifying of these their proceedings.

VI. "The multiplying of prohibitions in divers causes, but of the same nature, after consultations formerly awarded." We suppose, that as well his majesty's ecclesiastical jurisdiction, as also very many of his poor but dutiful subjects are greatly prejudiced by the granting of divers several prohibitions and consultations in causes of one of the same nature and condition, and upon the self-same suggestions. For example, in case of beating a clerk, the prohibition being granted upon this suggestion, that all pleas "de vi et armis" belong to the crown, etc. notwithstanding a consultation doth thereupon ensue; yet the very next day after, if the like suggestion be made upon the beating of another clerk, even in the same court another prohibition is awarded. As also where 570 prohibitions have been granted since the late queen's time into the court of arches, as before is mentioned, and but 113 consultations afterwards upon so many of them obtained; yet it is evident by the said consultations, that in effect all the rest of the said prohibitions ought not to have been awarded, as being grounded upon the same suggestions, whereupon consultations have been formerly granted: and so it followeth, that the causes, why consultations were awarded upon the rest of the said prohibitions, were for that either the plaintiffs in the court ecclesiastical were driven for saving of further charge to compound, to their loss, with their adversaries, or were not able to sue for them; or being able, yet through strength of opposition against them, were constrained to desist; which is an argument to us, that the

temporal judges do wittingly and willingly grant prohibitions, whereupon they know beforehand, that consultations are due: and if we mistake any thing in the premises, we desire your lordships, that the judges, for the justification of their courses, may better inform us.

VII. "New forms of consultations, not expressing the cause of the granting of them." Whereas upon the granting of consultations, the judges in times past did therein express and acknowledge the causes so remitted to be of ecclesiastical cognizance, which were precedents and judgments for the better assurance of ecclesiastical judges, that they might afterward hold plea in such cases, and the like; and were also some bar as well to the temporal judges themselves, as also to many troublesome and contentious persons from either granting or seeking prohibitions in such cases, when so it did appear unto them upon record, that consultations had been formerly granted in them; they the said temporal judges have now altered that course, and do only tell us, that they grant their consultations "certis de causis ipsos apud Westm. moventibus," not expressing the same particularly according to their ancient precedents. By means whereof the temporal judges leave themselves at liberty without prejudice, though they deny a consultation, at another time; upon the same matter contentious persons are animated, finding no cause expressed, why they may not at another time seek for a prohibition in the same cause, and the ecclesiastical judges are left at large to think what they list, being no way instructed, of the nature of the cause, which procured the consultation: the reason of which alteration in such consultations, we humbly entreat your lordships, that the judges, for our better instruction, may be required to express.

VIII. "That consultations may be obtained with less charge and difficulty." The great expenses and manifold difficulties in obtaining of consultations are become very

burdensome to those that seek for them; for nowadays through the malice of the plaintiffs in the temporal courts, and the covetous humours of the clerks, prohibitions are so extended and enlarged, without any necessity of the matter (some one prohibition containing more words and lines, than forty prohibitions in ancient times) as by means thereof the party in the ecclesiastical court, against whom the prohibition is granted, becomes either unwilling or unable to sue for a consultation, it being now usual and ordinary, that in the consultations must be recited "in eadem verba" the whole tenor of the prohibition, be it never so long; for the which (to omit divers other fees which are very great) he must pay for a draught of it in paper 8*d.* the sheet, and for the entry of it 12*d.* the sheet. Furthermore the prohibition is quick and speedy; for it is ordinarily granted out of court by any one of the judges in his chamber; whereas the consultation is very slowly and hardly obtained, not without (oftentimes) costly motions in open court, pleadings, demurrers, and sundry judicial hearings of both parties, and long attendance for the space of two or three, nay sometimes of eight or nine years before it be obtained. The inconvenience of which proceedings is so intolerable, as we trust such as are to grant consultations, will by your lordships' means not only do it expeditely, and moderate the said fees, but also reform the length of the said consultations, according to the forms of consultations in the register.

IX. "Prohibitions not to be granted upon frivolous suggestions." It is a prejudice and derision to both his majesty's ecclesiastical and temporal jurisdictions, that many prohibitions are granted upon trifling and frivolous suggestions, altogether unworthy to proceed from the one, or to give any hinderance or interruption to the other; as upon a suit of tithes brought by a minister against his parishioner, a prohibition flieth out upon sug-

gestion, that in regard of a special receipt, called a cup of buttered beer, made by the great skill of the said parishioner, to cure a grievous disease called a cold, which sorely troubled the said minister, all his tithes were discharged. And likewise a woman being convented for adultery committed with one, that suspiciously resorted to her house in the night time, the suggestion of a prohibition in this case was, that "omnia placita de nocturnis ambulationibus" belong to the king, etc. Also where a legatary sued for his legacy given in a will, the prohibition was "quia omnia placita de donis et concessionibus spectant ad forum regium, et non ad forum ecclesiasticum, dummodo non sint de testamento et matrimonio;" as if a legacy were not "donatio de" or "in testamento;" with many other of like sort. The reformation of all which frivolous proceedings so chargeable notwithstanding to many poor men, and the great hinderance to justice, we humbly refer to your lordships' consideration.

X. "No prohibition to be granted at his suit, the who is plaintiff in the spiritual court." We suppose it to be no warrantable nor reasonable course, that prohibitions are granted at the suit of the plaintiff in the ecclesiastical court, who having made choice thereof, and brought his adversary there into trial, doth by all intendment of law and reason, and by the usage of all other judicial places conclude himself in that behalf; and although he cannot be presumed to hope for help in any other court by way of prohibition, yet it is very usual for every such person so proceeding, only of mere malice, for vexation of the party, and to the great delay and hinderance of justice, to find favour for the obtaining of prohibitions, sometimes after two or three sentences, thereby taking advantage (as he must plead) of his own wrong, and receiving aid from that court, which by his own confession, he before did contemn; touching the equity whereof we will expect the answer of the judges.

XI. "No prohibition to be granted but upon due consideration of the libel." It is, we are persuaded, a great abuse, and one of the chief grounds of the most of the former abuses and many other, that prohibitions are granted without sight of the libel in the ecclesiastical court; yea sometimes before the libel be there exhibited; whereas by the laws and statutes of this realm, as we think, the libel (being a brief declaration of the matter in debate between the plaintiff and defendant) is appointed as the only rule and direction for the due granting of a prohibition; the reason whereof is evident, viz. upon diligent consideration of the libel it will easily appear, whether the cause belong to the temporal or ecclesiastical cognizance; as on the other side, without sight of the libel the prohibition must needs range and rove with strange and foreign suggestions, at the will and pleasure of the devisor, nothing pertinent to the matter in demand: whereupon it cometh to pass, that when the judge ecclesiastical is handling a matter of simony, a prohibition is grounded upon a suggestion, that the court trieth "placita de advocationibus ecclesiarum et de jure patronatus." And when the libel containeth nothing but the demand of tithe wool and lamb, the prohibition surmiseth a custom of paying of tithe pigeons. So that if it may be made a matter of conscience to grant prohibitions only where they do rightly lie, or to preserve the jurisdiction ecclesiastical, united to his majesty's crown, it cannot, we hope, but seem necessary to your lordships, that due consideration be first had of the libel in the ecclesiastical court, before any prohibition be granted.

XII. "No prohibition to be granted under pretence, that one witness cannot be received in the ecclesiastical court to ground a judgment upon." There is a new devised suggestion in the temporal courts commonly received and allowed, whereby they may at their will and pleasure draw any cause whatsoever from the ecclesi-

astical court. For example; many prohibitions have lately come forth upon this suggestion, that the laws ecclesiastical do require two witnesses, where the common law accepteth of one; and therefore it is "contra legem terræ" for the ecclesiastical judge to insist upon two witnesses to prove his cause: upon which suggestion, although many consultations have been granted, the same being no way as yet able to warrant and maintain a prohibition; yet because we are not sure, but that either by reason of the use of it, or of some future construction it may have given to it more strength than is convenient, the same tending to the utter overthrow of all ecclesiastical jurisdiction, we most humbly desire, that by your lordships' good means, the same may be ordered to be no more used.

XIII. "No good suggestion for a prohibition, that the cause is neither testamentary nor matrimonial." As the former device last mentioned endeavoureth to strike away at one blow the whole ecclesiastical jurisdiction, so there is another as usual, or rather more frequent than the former, which is content to spare us two kind of causesto deal in, viz. testamentary and matrimonial: and this device insulteth mightily in many prohibitions, commanding the ecclesiastical judge, that be the cause never so apparently of ecclesiastical cognizance, yet he shall surcease; for that is neither a cause testamentary nor matrimonial; which suggestion, as it grew at the first upon mistaking and omitting the words "de bonis et catallis," etc. as may appear by divers ancient prohibitions in the register, so it will not be denied, but that besides those two, divers and sundry other causes are notoriously known to be of ecclesiastical cognizance, and that consultations are as usually awarded, if suit in that behalf be prosecuted, notwithstanding the said suggestion, as their prohibitions are easily granted: which as an injury marching with the rest to wound poor men, protract

suits, and prejudice the courts ecclesiastical, we desire that the judges will be pleased to redress.

XIV. "No prohibition upon surmise only, to be granted either out of the king's bench or common pleas, but out of the chancery only." Amongst the causes, whereby the ecclesiastical jurisdiction is oppressed with multitude of prohibitions upon surmises only, this hath a chief place, in that through encroachment, as we suppose, there are so many several courts and judges in them, that take upon them to grant the same, as in the king's bench five, and in the common pleas as many, the one court oftentimes crossing the proceedings of the other; whereas we are persuaded that all such kind of prohibitions, being original writs, ought only to issue out of the chancery, and neither out of the king's bench, nor common pleas. And that this hath been the ancient practice in that behalf, appeareth by some statutes of the realm, and sundry judgments at the common law; the renewing of which practice carrieth with it an apparent show of great benefit and conveniency both to the church and to the subject. For if prohibitions were to issue only out of one court, and from one man of such integrity, judgment, sincerity and wisdom, as we are to imagine the lord chancellor of England to be endued with, it is not likely that he would ever be induced to prejudice and pester the ecclesiastical courts with so many needless prohibitions, or after a consultation to send out in one cause, and upon one and the same libel not altered, prohibition upon prohibition, his own act remaining upon record before him to the contrary. The further consideration whereof, when upon the judges' answer thereunto, it shall be more throughly debated, we must refer to your lordships' honourable direction and wisdom.

XV. "No prohibition to be awarded under a false pretence, that the ecclesiastical judges would hold no plea for customs for tithes." Amongst many devices, whereby

the cognizance of causes of tithes is drawn from ecclesiastical judges, this is one of the chiefest, viz. concerning the trial of customs in payment of tithes, that it must be made in a temporal court; for upon a quirk and false suggestion in Edward the Fourth his time, made by some serjeants, a conceit hath risen, which hath lately taken greater strength than before, that ecclesiastical judges will allow no plea of custom or prescription either "in non decimando," or "in modo decimandi;" and thereupon when contentious persons are sued in the ecclesiastical court for tithes, and do perceive, that upon one good proof, judgment will be given against them, even in their own pleas, sometimes for customs, do presently (knowing their own strength with jurors in the country) fly unto Westminster hall, and there suggesting that they pleaded custom for themselves in the ecclesiastical courts, but could not be heard, do procure thence very readily a prohibition. And albeit the said suggestion be notoriously false, yet the party prohibited may not be permitted to traverse the same in the temporal court, directly contrary to a statute made in that behalf; neither may the judge prohibited proceed without danger of an attachment, though himself do certainly know, either that no such custom was ever alleged before him, or being alleged, that he did receive the same, and all manner of proofs offered thereupon: which course seemeth the more strange unto us, because the ground thereof, laid in Edward the Fourth his time, as aforesaid, was altogether untrue, and cannot with any sound reason be maintained. Divers statutes and judgments at the common law do allow the ecclesiastical courts to hold plea of such customs: all our books and general learning do therewith concur, and the ecclesiastical courts, both then and ever since even until this day, have and still admit the same, as both by our ancient and recent records it doth and may to any most manifestly appear: and

besides there are some consultations to be shewed in this very point, wherein the said surmise and suggestion, that the ecclesiastical judges will hear no plea of customs, is affirmed to be insufficient in law to maintain any such prohibition: and therefore we hope, that if we shall be able, notwithstanding any thing the judges shall answer thereunto, to justify the premises, your lordships will be a means, that the abuses herein complained of, having so false a ground, may be amended.

XVI. "The customs for tithes are only to be tried in the ecclesiastical courts, and ought not to be drawn thence by prohibitions." Although some indiscreet ecclesiastical judges, either in the time of king Edward the Fourth, or Edward the Sixth, might against law have refused in some one cause to admit a plea of custom of tithes, to the prejudice of some person, whom he favoured, and might thereby peradventure have given occasion of some one prohibition (but whether they did so or no, the suggestion of a lawyer for his fee is no good proof); yet forasmuch as by three statutes made since that time, wherein it is ordained, viz. both that tithes should be truly paid, according to the custom, and the trial of such payments according to custom, upon any default or opposition, should be tried in the king's ecclesiastical courts, and by the king's ecclesiastical laws, and not otherwise, or before any other judges than ecclesiastical; we most humbly desire your lordships, that if according to the said laws, we be most ready to hear any plea of customs, your lordships would be pleased, that the judges may not be permitted hereafter to grant any prohibitions upon such false surmises; or if they shall answer, that we mistake the said statutes, that then the said three statutes may be thoroughly debated before your lordships; lest under pretence of a right which they challenge to expound these kind of statutes, the truth may be overborne, and poor ministers still left unto country trials, there to

justify the right of their titles before unconscionable jurors in these cases.

XVII. "No prohibition to be granted, because the treble value of tithes is sued for in the ecclesiastical court." Whereas it appeareth plainly by the tenor of the statute of Edw. VI. cap. 13. that judges ecclesiastical and none other are to hear and determine all suits of tithes and other duties of the same, which are given by the said act; and that nothing else is added to former laws by that statute, but only certain penalties, for example, one of treble value; forasmuch as the said penalty, being only devised as a means to work the better payment of tithes, and for that there are no words used in the said statute to give jurisdiction to any temporal court; we hold it most apparent, that the said penalty of treble value, being a duty given in the said statute for non-payment of tithes, cannot be demanded in the temporal court, but only before the ecclesiastical judges, according to the express words of the said statute; and the rather we are so persuaded, because it is most agreeable to all laws, and reason, that where the principal cause is to be decided, there all things incident and necessary are to be determined. Besides it was the practice of all ecclesiastical courts in this realm, immediately after the making of the said statute, and hath continued so ever since, to award treble damages (when there hath been cause) without any opposition, until about ten years past, when or about which time, notwithstanding the premises, the temporal judges began to hold plea of treble value, and do now accompt it so proper and peculiar to their jurisdictions, as by colour thereof they admit suits originally for the said penalty, and do make thereby (very absurdly) the penalty of treble value to be principal, which is indeed but the accessory, and the cognizance of tithes to be but the accessory, which in all due construction is most evident to be the principal,

thereby wholly perverting the true meaning and drift of that statute; whereupon if in the spiritual court the treble value be now demanded by the libel as a duty, according to that statute, or that sentence be awarded directly and sincerely upon the said libel, presently, as contentious persons are disposed, a prohibition is granted, and some sharp words are further used, as if the ecclesiastical judges were in some further danger for holding of these kind of pleas: and therefore we most humbly desire, that if the judges shall insist in their answers upon such their straining of the said statute, your lordships will be pleased to hear the same further debated by us with them.

XVIII. "No prohibition to be awarded, where the person is stopped from carrying away of his tithes by him that setteth them forth." As the said statute of Edward the Sixth, last mentioned, assigneth a penalty of treble value, if a man upon pretence of custom, which cannot be justified, shall take away his corn, before he hath set out his tithes; so also in the said statute it is provided, that if any man having set out his tithes, shall not afterwards suffer the parson to carry them away, etc. he shall pay the double value thereof so carried away, the same to be recovered in the ecclesiastical court. Howbeit the clearness of the statute in this point notwithstanding, means are found to draw this cause also from the ecclesiastical court; for such as of hatred towards their ministers are disposed to vex them with suits at the common law, where they find more favour to maintain their wrangling, than they can hope for in the ecclesiastical court, will not fail so set out their tithes before witnesses, but not with any meaning or intent, that the parson shall ever carry them away; for presently thereupon they will cause their own servants to load them away to their own barns, and leave the parson, as he can, to seek his remedy; which if he do attempt in the ecclesiastical court, out cometh a pro-

hibition, suggesting that upon severance and setting forth of the tenth part from the nine, the same tenths were presently by law in the parson's possession, and being thereupon become a lay chattel, must be recovered by an action of trespass at the common law; whereas the whole pretence is grounded upon a mere perverting of the statute, which doth both ordain, that all tithes shall be set forth truly and justly without fraud and guile, and that also the parson shall not be stopped or hindered from carrying them away; neither of which conditions are observed, when the farmer doth set them forth, meaning to carry them away himself (for that is the fraudulent setting of them out) and also when accordingly he taketh them away to his own use; for thereby he stoppeth the parson to carry them away; and consequently the penalty of this offence is to be recovered in the said ecclesiastical courts, according to the words of the said statute, and not in any court temporal: wherefore we most humbly desire your lordships, that either the judges may make it apparent to your lordships, that we mislike this statute in this point, or that our ecclesiastical courts may ever hereafter be freed from such kinds of prohibitions.

XIX. "No prohibition to be granted upon any incident plea in an ecclesiastical cause." We conceive it to be great injury to his majesty's ecclesiastical jurisdiction, that prohibitions are awarded to his ecclesiastical courts upon every by, and every incident plea or matter alleged there in bar, or by way of exception, the principal cause being undoubtedly of ecclesiastical cognizance. For example: in suit for tithes in kind, if the limits of the parish, agreements, compositions, and arbitraments, as also whether the minister that sueth as parson, be indeed parson or vicar, do come in debate by way of bar, although the same particulars were of temporal cognizance (as some of them we may boldly say are not) yet

they were in this case examinable in the ecclesiastical court, because they are matters incident, which come not in that case finally to be sentenced and determined, but are used as a mean and furtherance for the decision of the main matter in question. And so the case standeth in other such incident pleas by way of bar; for otherwise either party in every cause might at his pleasure, by pleading some matter temporal by way of exception, make any cause ecclesiastical whatsoever subject to a prohibition; which is contrary to the reason of the common law, and sundry judgments thereupon given, as we hope the judges themselves will acknowledge, and thereupon yield to have such prohibitions hereafter restrained.

XX. "That no temporal judges, under colour of authority to interpret statutes, ought, in favour of their prohibitions, to make causes ecclesiastical to be of temporal cognizance." Although of late days it hath been strongly held by some, that the interpretation of all statutes whatsoever do belong to the judges temporal, yet we suppose by certain evil effects, that this opinion is to be bounded within certain limits; for the strong conceit of it hath already brought forth this fruit, that even those very statutes, which do concern matters merely ecclesiastical, and were made of purpose with great caution to preserve, enlarge, and strengthen the jurisdiction ecclesiastical, have been by colour thereof turned to the restraining, weakening, and utter overthrow of the same, contrary to the true intent and meaning of the said statutes. As for example: besides the strange interpretation of the statutes before mentioned for the payment of tithes, when parties have been sued in the ecclesiastical courts in case of an incestuous marriage, a prohibition hath been awarded, suggesting under pretence of a statute in the time of king Henry VIII. that it appertaineth to the temporal courts and not to the ecclesiastical, to determine what marriages are lawful, and

what are incestuous by the word of God. As also a minister being upon point of deprivation for his insufficiency in the ecclesiastical court, a prohibition was granted upon suggestion, that all pleas of the fitness, learning, and sufficiency of ministers belong only to the king's temporal courts, relying, as we suppose, upon the statute of 13 Eliz. by which kind of interpretation of statutes, if the naming, disposing, or ordering of causes ecclesiastical in a statute shall make the same to be of temporal cognizance, and so abolish the jurisdiction of the ecclesiastical court, without any further circumstances or express words to warrant the same, it followeth, that forasmuch as the common book and articles of religion are established and confirmed by several acts of parliament, the temporal judges may challenge to themselves an authority to end and determine all causes of faith and religion, and to send out their prohibitions, if any ecclesiastical judge shall deal or proceed in any of them: which conceit, how absurd it is, needeth no proof, and teacheth us, that when matters merely ecclesiastical are comprised in any statute, it doth not therefore follow, that the interpretation of the said matters doth belong to the temporal judges, who by their profession, and as they are judges, are not acquainted with that kind of learning. Hereunto when we shall receive the answer of the judges, we shall be ready to justify every part of this article.

XXI. "That persons imprisoned upon the writ of 'De excommunicato capiendo' are unduly delivered and prohibitions unduly awarded for their greater security." Forasmuch as imprisonment upon the writ of "De excommunicato capiendo" is the chiefest temporal strength of ecclesiastical jurisdiction, and that by the laws of the realm none so committed for their contempt in matters of ecclesiastical cognizance, ought to be delivered, until the ecclesiastical courts were satisfied, or caution given in that behalf; we would gladly be resolved by what

authority the temporal judges do cause the sheriffs to bring the said parties into their courts, and by their own discretions set them at liberty, without notice thereof first given to the ecclesiastical judges, or any satisfaction made either to the parties, at whose suit he was imprisoned, or the ecclesiastical court, where certain lawful fees are due. And after all this, why do they likewise send out their prohibitions to the said court, commanding that all censures against the said parties shall be remitted, and that they be no more proceeded with, for the same causes in those courts? Of this our desire we hope your lordships do see sufficient cause, and will therefore procure us from the judges some reasonable answer.

XXII. "The king's authority in ecclesiastical causes is greatly impugned by prohibitions." We are not a little perplexed touching the authority of his majesty in causes ecclesiastical, in that we find the same to be so impeached by prohibitions, that it is in effect thereby almost extinguished; for it seemeth that the innovating humour is grown so rank, and that some of the temporal judges are come to be of opinion, that the commissioners appointed by his majesty for his causes ecclesiastical having committed unto them the execution of all ecclesiastical jurisdiction annexed to his majesty's imperial crown, by virtue of an act of parliament made in that behalf, and according to the tenour and effect of his majesty's letters patents, wherein they are authorized to imprison and impose fines, as they shall see cause, cannot otherwise proceed, the said act and letters patents notwithstanding, than by ecclesiastical censures only. And thereupon of latter days, whereas certain lewd persons, two for example's sake, one for notorious adultery and other intolerable contempts, and another for abusing of a bishop of this kingdom with threatening speeches and sundry railing terms no way to be endured, were there-

upon fined and imprisoned by the said commissioners, till they should enter into bonds to perform further orders of the said court; the one was delivered by an "Habeas corpus" out of the king's bench, and the other by a like writ out of the common pleas; and sundry other prohibitions have been likewise awarded to his majesty's said commissioners upon these suggestions, viz. that they had no authority either to fine or imprison any man; which innovating conceit being added to this that followeth, that the writ of "De excommunicato capiendo" cannot lawfully be awarded upon any certificate or "Significavit" made by the said commissioners, we find his majesty's said supreme authority in causes ecclesiastical (so largely amplified in sundry statutes) to be altogether destitute in effect of any means to uphold it, if the said proceedings by temporal judges shall be by them maintained and justified; and therefore we most humbly desire your lordships, that they may declare themselves herein, and be restrained hereafter (if there be cause found) from using the king's name in their prohibitions, to so great prejudice of his majesty's said authority, as in debating the same before your lordships will hereafter more fully appear.

XXIII. "No prohibitions to be granted under pretence to reform the manner of proceedings by the ecclesiastical laws in causes confessed to be of ecclesiastical cognizance." Notwithstanding that the ecclesiastical jurisdiction hath been much impeached heretofore through the multitude of prohibitions, yet the suggestions in them had some colour of justice, as pretending that the judges ecclesiastical dealt with temporal causes; but now, as it seemeth, they are subject to the same controlments, whether the cause they deal in be either ecclesiastical or temporal, in that prohibitions of late are wrested out of their own proper course, in the nature of a writ of error, or of an appeal. For whereas

the true and only use of a prohibition is to restrain the judges ecclesiastical from dealing in a matter of temporal cognizance; now prohibitions are awarded upon these surmises, viz. that the libel, the articles, the sentence, and the ecclesiastical court, according to the ecclesiastical laws, are grievous and insufficient, though the matter there dealt withal be merely ecclesiastical; and by colour of such prohibitions, the temporal judges do alter and change the decrees and sentences of the judges ecclesiastical, and do moderate the expenses taxed in the ecclesiastical courts, and do award consultations upon conditions. As for example; that the plantiff in the ecclesiastical court shall accept of the one-half of the costs awarded, and that the register shall lose his fees; and that the said plaintiff shall be contented with the payment of his legacy, which was the principal sued for, and adjudged due unto him at such day, as they the said temporal judges shall appoint, or else the prohibition must stand. And also where his majesty's commissioners for causes ecclesiastical, have not been accustomed to give a copy of the articles to any party before he hath answered them; and that the statute of Henry V. touching the delivering of the libel, was not only publicly adjudged in the king's bench not to extend to the deliverance of articles, where the party is proceeded with "ex officio," but likewise imparted to his majesty, and afterwards divulged in the starchamber, as a full resolution of the judges; yet within four or five months after a prohibition was awarded to the said commissioners out of the king's bench, upon suggestion, that the party ought to have a copy of the articles, being called in question "ex officio," before he should answer them; and notwithstanding that a motion was made in full court shortly after for a consultation, yet an order was entered, that the prohibition should stand until the said party had a copy of the said articles given him: which novel

and extraordinary courses do seem very strange unto us, and are contrary not only to the whole course of his majesty's laws ecclesiastical, but also to the very maxims and judgment of the common law, and sundry statutes of this realm, as we shall be ready to justify before your lordships, if the judges shall endeavour to maintain these their proceedings.

XXIV. "That temporal judges are sworn to defend the ecclesiastical judges' jurisdiction." We may not omit to signify unto your lordships, as we take it, the temporal judges are not only bound by their ancient oath, that they shall do nothing to the disherison of the crown, but also by a latter oath unto the king's supremacy, wherein they do swear; that to their power they will assist and defend all jurisdictions, privileges, preeminences, and authorities united and annexed to the imperial crown of this realm; in which words the ecclesiastical jurisdiction is specially aimed at; so that whereas they do oftentimes insist upon their oath, for doing of justice in temporal causes, and do seldom make mention of the second oath taken by them for the defence of the ecclesiastical jurisdiction, with the rights and immunities belonging to the church; we think, that they ought to weigh their said oaths better together, and not so far to extend the one, as that it should in any sort prejudice the other. The due consideration whereof (which we most instantly desire) would put them in mind, any suggestion to the contrary notwithstanding, to be as careful not to do any thing that may prejudice the lawful proceedings of the ecclesiastical judges in ecclesiastical causes, as they are circumspect not to suffer any impeachment or blemish of their own jurisdictions and proceedings in causes temporal.

XXV. "That excommunication is as lawful as prohibition, for the mutual preservation of both his majesty's supreme jurisdictions." To conclude: whereas for the

better preserving of his majesty's two supreme jurisdictions before mentioned, viz. the ecclesiastical and the temporal, that the one might not usurp upon the other, two means heretofore have of ancient time been ordained, that is to say, the censure of excommunication, and the writ of prohibition; the one to restrain the encroachment of the temporal jurisdiction upon the ecclesiastical, the other of the ecclesiastical upon the temporal. We most humbly desire your lordships that by your means the judges may be induced to resolve us, why excommunications may not as freely be put in ure for the preservation of the jurisdiction ecclesiastical, as prohibitions are under pretence to defend the temporal, especially against such contentious persons, as do wittingly and willingly upon false and frivolous suggestions, to the delay of justice, vexation of the subjects, and great scandal of ecclesiastical jurisdictions, daily procure, without fear either of God or men, such undue prohibitions, as we have heretofore mentioned.

CXXIV.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Ric. Bancroft 3.	1607.	Jacob. I. 5.

An order set down by king James the First for translating of the Bible.—Burnet's Hist. Reform. vol. ii. app. p. 366.

THE places and persons agreed upon for the Hebrew, with the particular books by them undertaken.

Westminster,	Mr. Dean of Westm. Mr. Dean of Pauls, Mr. Dr. Saravia, Mr. Dr. Clark, Mr. Dr. Leifield, Mr. Dr. Teigh, Mr. Burleigh. Mr. King, Mr. Thompson, Mr. Beadwell,	Pentateuchon. The story from Joshua to the first book of Chronicles exclusive.

An order set down] See No. CXXI.

Mr. Dean of Westm.] Dr. Lancelot Andrews, master of Pembroke hall, Camb. successively bishop of Chichester, Ely and Winchester; died. Sept. 21, 1626.

Mr. Dean of Paul's] Dr. John Overall, master of Catherine hall, Camb. successively bishop of Lichfield and Norwich; died, May 12, 1619.

Mr. Dr. Saravia] Dr. Hadrian de Saravia, prebendary of Canterbury; the friend of Hooker and archbp. Whitgift; died, Jan. 15, 1612.

Mr. Dr. Clark] Dr. Richard Clark, fellow of Christ's college, Camb. one of the six preachers, Canterb.

Mr. Dr. Leifield] Dr. John Layfield, fellow of Trin. coll. Camb. rector of St. Clement Danes, Westm. Being skilled in architecture, his judgment was much relied on for the fabric of the tabernacle and temple. (Collier, vol. ii. p. 693.)

Cambridge,...	Mr. Lively, Mr. Richardson, Mr. Chatterton, Mr. Dillingham, Mr. Harrison, Mr. Andrews, Mr. Spalding, Mr. Binge,	From the first of the Chronicles with the rest of the story and the Hagiography; videlicet, Job, Psalms, Proverbs, Canticles, Ecclesiastes.

Mr. Dr. Teigh] Dr. Robert Tighe, vicar of All Hallows, Barking, and archdeacon of Middlesex, called by Fuller, Lewis, and others, Dr. Leigh; but see Wood, Ath. Oxon. vol. ii. p. 206. ed. Bliss, and Newcourt's Repert. vol. i. p. 82.

Mr. Burleigh] He was probably the Dr. Francis Burley, who was one of the first fellows of Chelsea college.

Mr. King] Supposed to be Mr. Geoffry King, fellow of King's coll. Camb. and regius professor of Hebrew.

Mr. Thompson] Of Clare hall, Camb. nothing further known of him.

Mr. Beadwell] Mr. William Bedwell, vicar of Tottenham, a celebrated Arabic scholar. (Ath. Ox. vol. iii. p. 329. ed. Bliss.)

Mr. Lively] Fellow of Trin. coll. regius professor of Hebrew, Camb. Mr. Lively is mentioned by name in the king's letter of 1604; (No. CXXI.) but he died in May 1605.

Mr. Richardson] Dr. John Richardson, successively master of Peterhouse and of Trin. Coll. Camb.

Mr. Chatterton] Laurence Chaderton, master of Emmanuel coll. Camb. Appeared for the puritans at Hampton Court, 1603; resigned his headship 1622.

Mr. Dillingham] Fellow of Christ's coll. Camb. Parson of Dean in Bedfordsh.

Mr. Harrison] Vice-master of Trin. coll. Camb.

Mr. Andrews] Dr. Roger Andrews, brother of bishop Andrews, and master of Jesus coll. Camb.; died in 1632.

Mr. Spalding] Dr. Robert Spalding, fellow of St. John's coll. Camb.; succeeded Mr. Lively as Hebrew professor.

Mr. Binge] Dr. Andrew Byng, fellow of Peter-house Camb., afterwards Hebrew professor, and archdeacon of Norwich.

Oxford, ...	Dr. Harding, Dr. Reynalds, Dr. Holland, Dr. Kilbye, Mr. Smith, Mr. Brett, Mr. Fairclough,	The four or greater Prophets with the Lamentations, and the twelve lesser Prophets.
Cambridge,...	Dr. Duport, Dr. Branthwait, Dr. Radcliffe, Mr. Ward, Mr. Downs, Mr. Boyes, Mr. Ward, reg.	The prayer of Manasse and the rest of the Apocrypha.

Dr. Harding] Dr. John Harding, regius professor of Hebrew and president of Magd. coll. Oxf.

Dr. Reynalds] Dr. John Rainolds, president of Corp. Chr. coll. Oxf. Appeared for the puritans at Hampton Court 1603, and recommended a translation to be made; died in May 1607.

Dr. Holland] Dr. Thomas Holland, regius professor of divinity, and rector of Exeter coll. Oxf.; died in March 1612.

Dr. Kilbye] Dr. Richard Kilbye, rector of Lincoln coll. Oxf. and regius professor of Hebrew; died in November 1620.

Mr. Smith] Dr. Miles Smith, of Brasen Nose coll. Oxf. The writer of the preface, and the person to whom, with bishop Bilson, the final revision of the whole work was entrusted. He was afterwards bishop of Gloucester; and died Oct. 20, 1624.

Mr. Brett] Dr. Richard Brett, fellow of Lincoln coll. Oxf. afterwards rector of Quainton, Bucks; died in April 1637.

Mr. Fairclough] Richard Fairclough, fellow of New College, Oxf., became rector of Bucknell, Oxf. in 1593, and died there in 1638.

Dr. Duport] Dr. John Duport, prebendary of Ely, and master of Jesus coll. Camb.; died in 1617.

Dr. Branthwait] Dr. William Branthwait, master of Caius coll. Camb.; died in Feb. 1618.

Dr. Radcliffe] Dr. Jeremiah Radcliffe, fellow of Trin. coll. Camb.

Mr. Ward] Dr. Samuel Ward, master of Sidney coll. Camb., and Lady Margaret professor.

Mr. Downs] Andrew Downs, fellow of St. John's coll. Camb., and regius professor of Greek.

The places and persons agreed upon for the Greek with the particular books by them undertaken.

Oxford,	Mr. Dean of Christ-Church, Mr. Dean of Winchester, Mr. Dean of Worcester, Mr. Dean of Windsor, Mr. Savile, Dr. Perne, Dr. Ravens, Mr. Harmer,	The four Gospels, Acts of Apostles, Apocalypse.

Mr. Bayes] John Boyes, fellow of St. John's coll. Camb. prebendary of Ely and rector of Boxworth; died in Jan. 1643.

Mr. Ward, Reg.] Dr. Ward of King's coll. Camb. prebendary of Chichester, and rector of Bishop's Waltham.

Mr. Dean of Christ Church] Dr. Thomas Ravis; consecrated March 19, 1605, bishop of Gloucester; translated May 18, 1607, to London; died Dec. 14, 1609; succeeded in the deanery of Ch. Ch. Aug. 4, 1605, by Dr. John King.

Mr. Dean of Winchester] Dr. George Abbot, master of Univ. coll. Oxf.; successively bishop of Lichfield and London, and archbishop of Canterbury; died Aug. 4, 1633.

Mr. Dean of Worcester] This appears to be Dr. Richard Eedes, being so mentioned by name in Fuller. He died in November 1604, and being succeeded in the same year by Dr. James Montague, the latter person has been taken by Lewis and others to be the translator described as the dean of Worcester.

Mr. Dean of Windsor] Dr. Giles Thompson, previously fellow of All Souls' coll. Oxf. afterwards bishop of Gloucester; died June 14, 1612.

Mr. Savile] Sir Henry Savile, warden of Merton coll. Oxf., provost of Eton; died Feb. 19, 1622.

Dr. Perne] Dr. John Perin, fellow of St. John's coll. Oxf., regius professor of Greek; appointed canon of Ch. Ch. Nov. 24, 1604; died May 9, 1615.

Dr. Ravens] This name does not appear in the list given by Wood, Ann. vol. ii. p. 283. Dr. Ralph Ravens, fellow of St. John's coll. Oxf. died in 1616, rector of Eyston Magna, (Ath. Oxf. vol. 4. col. 797. ed. Bliss.) having previously been vicar of Dunmow.

Mr. Harmer] Dr. John Harmer, fellow of New Coll. Oxf., regius professor of Greek, warden of Winchester; died Oct. 11, 1613.

Westminster,	Dean of Chester,	The Epistles of St. Paul.
	Dr. Hutchinson,	
	Dr. Spencer,	
	Mr. Fenton,	The canonical Epistles.
	Mr. Rabbett,	
	Mr. Sanderson,	
	Mr. Dakins,	

Dean of Chester] Dr. William Barlow, successively bishop of Rochester and Lincoln; died Sep. 7, 1613.

Dr. Hutchinson] Is this Mr. William Hutchinson, who resigned the rectory of St. Botolph's Bishopsgate, in 1599, and was archdeacon of St. Albans? See Newc. Repert. vol. i. p. 95.

Dr. Spenser] Is this Dr. John Spenser, who was one of king James' chaplains, and afterwards president of Corp. Chr. coll. Oxf.? He died Apr. 3, 1614.

Mr. Fenton] Is this Dr. Roger Fenton, rector of St. Stephen Walbrook, who died Jan. 15, 1615? He is called a person excellently well learn'd pious and beloved. See Stow, Survey, p. 245. Newcourt's Rep. vol. i. p. 197. Fuller's Worthies, Lanc. p. 116.

Mr. Rabbett] A Mr. Michael Rabbet is mentioned by Newcourt (Rep. vol. i. p. 565) as rector of St. Vedast Foster from 1603 to 1617.

Mr. Sanderson] A Mr. Thos. Sanderson is mentioned by Newcourt (Rep. vol. i. p. 201) as rector of All Hallows in 1603, and archdeacon of Rochester in 1606.

Mr. Dakins] Mr. William Dakins, fellow of Trinity coll Camb. and professor of divinity in Gresham college, died in Feb. 1607. (Ward's lives, p. 44.)

This list does not exactly correspond either with the date 1604, which is commonly assigned to it, or with the date 1607, which Wilkins and others have thought the more correct one. It is evident from the king's letter, which bears date July 22, 1604, (No. CXXI.) that 54 persons had already been appointed for the purpose of making the new translation; but it is also evident that Dr. Barlow (who is known to have been one of the party selected) could not have been described at that time as the dean of Chester, as he was not appointed to that office before the month of December 1604. Neither does the list correspond exactly with the year 1607, because Mr. Lively the Hebrew professor at Cambridge, whose name appears in the list, had died before that time. Other instances might also be given to the same effect. But this is what would naturally be expected, as the list of persons engaged in the work would unavoidably undergo changes during the progress of it. See some differences in Wood's Ann. vol. ii.

The rules to be observed in the translation of the Bible.

I. The ordinary Bible read in the church, commonly called "the bishops' Bible," to be followed, and as little altered, as the truth of the original will permit.

II. The names of the prophets, and the holy writers, with the other names of the text to be retained, as nigh as may be, accordingly as they were vulgarly used.

III. The old ecclesiastical words to be kept, videlicet, the word "Church" not to be translated "Congregation," etc.

IV. When a word hath divers significations, that to be kept, which has been most commonly used by most of the ancient fathers, being agreeable to the propriety of the place, and the analogy of the faith.

V. That the division of the chapters be altered either not at all, or as little as may be, if necessity so require.

VI. No marginal notes at all to be affixed, but only for the explanation of the Hebrew or Greek words, which cannot without some circumlocution so briefly and fitly be expressed in the text.

VII. Such quotations of places to be marginally set down, as shall serve for the fit reference of one scripture to another.

VIII. Every particular man of each company to take the same chapter or chapters, and having translated or amended them severally by himself, where he thinketh

p. 283, where the new names of Dr. John Aglionby principal of Edm. Hall, and Dr. Leonard Hutton, canon of Ch. Ch., are substitutes for the names of Dr. Eedes and Dr. Ravens. The list here published from bishop Burnet was compared by Mr. Baker with a copy some time belonging to Dr. Jegon, who was bishop of Norwich from 1602 to 1618, (see Lewis, Hist. of Transl. p. 310.) and bishop Burnet himself took his list from a copy belonging originally to bishop Ravis. Comp. Newcome, Hist. of Transl. p. 91. Todd's Vindic. pp. 49, &c. Collier, vol. ii. p 693. Burnet, Hist. Ref. vol. ii. p. 813. and P. ii. p. 513. Le Neve's Fasti. Newcourt's Repert. Peck's Desid. Cur. vol. ii. b. 8. p. 47.

good, all to meet together, confer what they have done, and agree for their parts, what shall stand.

IX. As any one company hath dispatched any one book in this manner, they shall send it to the rest to be considered of seriously and judiciously; for his majesty is very careful in this point.

X. If any company upon the review of the book so sent, doubt or differ upon any place, to send them word thereof, note the place, and withal send the reasons; to which if they consent not, the difference to be compounded at the general meeting, which is to be of the chief persons of each company, at the end of the work.

XI. When any place of special obscurity is doubted of, letters to be directed by authority to send to any learned man in the land for his judgment of such a place.

XII. Letters to be sent from every bishop to the rest of his clergy, admonishing them of this translation in hand, and to move and charge as many as be skilful in the tongues, and have taken pains in that kind, to send his particular observations to the company either at Westminster, Cambridge, or Oxford.

XIII. The directors in each company to be the dean of Westminster and Chester for that place, and the king's professors in the Hebrew or Greek in either university.

These translations to be used when they agree better with the text than the bishops Bible; videlicet	Tindall, Matthew's, Coverdale's, Whitchurch's, Geneva.

XIV. Besides the said directors before mentioned, three or four of the most ancient and grave divines in either of the universities, not employed in translating, to be assigned by the vice-chancellor, upon conference with the rest of the heads, to be overseers of the translations as well Hebrew as Greek, for the better observation of the fourth rule above specified.

CXXV.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Ric. Bancroft 6.	1610.	Jacob. I. 8.

A proclamation for the due execution of all former laws against recusants, giving them a day to repair to their own dwellings, and not afterwards to come to the court, or within ten miles of London without special license; and for disarming them as the law requireth. And withal that all priests and Jesuits shall depart the land by a day, no more to return into the realm; and for the ministering of the oath of allegiance according to the law.

THOUGH the principal care that a religious and wise king ought to have, should be for the maintenance and propagation by all godly, lawful, and honest means, of the true catholic and Christian religion, and to that effect as he must plant good seed with the one hand, so to displant and root out with the other, as far as he can, the cockle and tares of heresy, that do ordinarily grow up amongst the Lord's wheat; yet hath our nature been ever so inclined to clemency, especially we have ever

A proclamation] The king had been much embarrassed in his plans respecting the Romanists, not only by the active measures adopted by the court of Rome, but still more by the bold and independent proceedings of the house of commons. His plans respecting the Romanists were expressed in his Apology for the Oath of Allegiance, in which he asserted that "whatever was the just and merciful government of queen Elizabeth over the papists, his government had far exceeded hers in mercy and clemency," and "that it could not be proved that any papist had been put to death since he came to the crown for cause of conscience." (Works, pp. 253, 254.) The new oath of allegiance had been enacted immediately after the plot of November, 1605, and having been studiously framed, owing to the king's interference, (see Works, p. 292,) for the purpose of confining

been so loath to shed blood in any case that might have any relation to conscience (though but of a deceived and disguised conscience) as notwithstanding the care and zeal that we have ever carried for the maintenance and propagation of this our ancient and true catholic religion, which we profess, yet hath our said natural clemency ever withholden us from putting the law to that due execution against popish priests and recusants, which their evil deserts at divers times towards us, and their insolent and proud carriage, especially of late, did justly deserve at our hands.

But not that their evil behaviour at home, manifested first by the priests' treason immediately after our entry into this kingdom, and next at the horrible powder treason, the unnatural cruelty whereof is never to be forgotten, joined to this horrible and lamentable accident abroad, we mean the devilish and unnatural murder of the late French king our dearest brother, hath so stirred up the hearts of our loving people represented by the houses and body of parliament, as both the houses thereof have joined in making an humble petition to us to be more wakeful than heretofore we have been, upon the courses and steps of the papists: and to this effect, that

it to the profession of civil and temporal obedience, had been willingly taken by the Romanists, until they were prohibited by two successive bulls of pope Paul V., and by the earnest exhortations of cardinal Bellarmine. (Wilk. Conc. vol. iv. pp. 430, 431.) But the king's greatest embarrassment arose from the conduct of the house of commons. This body, now conscious of its power, and always opposed to the claims of prerogative, had continually expressed its desire for greater moderation towards the Puritans and severity towards the Romanists; and though reminded by the king of his supremacy and of the relation that it bore to Divine authority, persisted in representing to him the grievances of the nation, and more especially in remonstrating against the court of high commission. But in the year 1610 the general feeling of hostility against the Romanists, which had been

we would be pleased to put in due execution hereafter without any longer conveniency the good and wholesome laws of this realm made against them, the most part whereof were made before our entry into this kingdom, and so were we at our coronation sworn to the maintenance of them: we have just reason according to their humble desire, to be more careful than heretofore we have been in seeing our said laws put in due execution. For since in this case, our conscience, in regard to religion; our honour, in regard there is nothing craved, but the execution of our laws; our safety, and not only of us but of all our posterity, in regard to the papists' bloody doctrine, that make martyrs and saints of such as kill their own kings, the anointed of God; so as we now see to our horror their detestable doctrine, so oft put in practice, and so that butcherly theoric and practic so linked together, that a sinful or wicked man can by no means so well redeem his soul from eternal damnation, as by murdering a king that is either an heretic by their interpretation, or a fautor of heretics: these three motives we say, so justly grounded upon conscience, honour, and safety, together that the motion hereof hath moved from our people, cannot but stir up that princely and provident care in us, which every religious, just,

increased by the two popish conspiracies of the reign (No. CXVIII. and Wilk. Conc. vol. iv. p. 424), was exasperated and made ungovernable by the murder of king Henry IV. of France. The murder was committed by Ravaillac on the 3rd of May, and gave occasion to the petition from the two houses of parliament, which is noticed in this proclamation. The law itself was already sufficiently stringent against the Romanists, and only required to be put into execution; but the king was not like-minded; and the parliament, having sat from the commencement of the reign, was dissolved at the close of the year without any feeling of regret on the part of the sovereign, who complained that they had not only encroached upon his privileges, but had "perilled his health and wounded his reputation." Collier, vol. ii. p. 694. Neal, Purit. vol. i. p. 442. Kennet, vol. ii. p. 643. Hallam, vol. i. pp. 356. 440.

and wise king ought to have upon such respects and considerations.

And therefore being informed, that at this time especially there is a greater resort made of recusants to this our city of London, than hath been at any time heretofore, notwithstanding that by the laws of our realm they ought all to be confined, and remain within five miles of their dwelling-places; it is our express will and pleasure to discharge, like as by these presents we do discharge, all by-past licenses granted unto them for their repairing hither. And although this time of parliament, and the creation of our eldest son[a] be so unfit and dangerous a time for their abode here, as hereupon our parliament hath humbly moved us, that they might all be sent home and discharged this city, before the creation of our said dearest son; yet have we thought good to retain so much of our accustomable clemency, weighing so little any of their malicious plots, or the hazard thereof during that time in comparison of our said clemency, as in consideration of such important business as they may have concerning their particular estates in the next term, we are contented to give them time until the last day of June, which is after the end of the next term; betwixt and which time, they are to repair again to their own dwelling-houses and places of confining, according to the law, not presuming at any time hereafter, to repair to this our city and chamber of London, or to our court, or to the court of our dearest wife the queen, or of the prince our dear son wheresoever, or within ten miles of London, without special license had thereunto, under pain of the severe execution of our laws upon the contravenors, and of highest contempt against our authority joined thereunto.

[a] *the creation of our eldest son*] Prince Henry was created Prince of Wales two days after the date of this proclamation in the 16th year of his age. Camden in Kennet, vol. ii. p. 643.

And we are likewise pleased upon the said humble petition of our said loving subjects assembled in parliament, straitly to charge and command our justices of peace in all parts of this our realm, that according to our laws in that behalf, they do take from all popish recusants convicted, all such armour, gunpowder, and ammunition of any kind, as any of them hath either in their own hands, or in the hands of any other for them, and see the same safely kept, and disposed according to the law; leaving them for their necessary defence of their house and persons, so much as by the laws is prescribed: wherein as our said justices have been hitherto too remiss, so if we shall find this our express commandment neglected, or not diligently executed, as is fit, and as the importance thereof doth require, we will make them know by severe punishment, what it is to be careless of our royal commandments in cases of this nature.

And because that priests and Jesuits do more abundantly swarm as well throughout our whole kingdom, as within our city of London, than ever they did heretofore, not only coming daily home in flocks, to the high contempt of our authority and laws, but even a number of those particular persons amongst them, who after they have been kept in prisons and convicted by our laws, yet were, out of our clemency, put forth of the country again upon condition not to return, have notwithstanding presumed to return again into this country, in high contempt of our great clemency and favour extended towards them, thereby as it were, seeking and begging at our hands their own just punishment; we have therefore thought good, for staying the like abuses and inconveniences in time to come, to give from henceforth free passage and course to all such laws as are now in force, and ought to be put in execution against such offenders. And yet being ever willing to mix some part of our clemency with the rigour of the law, notwithstanding

that in the first year. and afterwards in the fourth year of our reign, we did by two several gracious proclamations give a certain day to all priests and Jesuits, for transporting themselves out of our dominions between and the said day, at that time intimating all rigour unto them, that should thereafter return within our kingdom; yet are we content notwithstanding their contempt of this former grace twice before offered unto them, yet to renew the same now again this third time: and do therefore by these presents declare and publish, that it shall be lawful for all manner of Jesuits, seminaries, and other priests whatsoever now in this kingdom, as well those whom we shall vouchsafe to deliver out of prison, as those that are not yet apprehended, freely and safely to depart forth of our realm, so as they make their repair unto any of our ports between the day of the date of this proclamation, and the fourth day of July next, for the same purpose there to transport themselves with the first opportunity into any foreign parts; admonishing and assuring all such Jesuits, seminaries, and priests of what sort soever, departing upon this our pleasure signified, as also all other that have been heretofore released by our gracious favour in the same condition, that if any of them shall hereafter return into this our realm again, that their blood shall then be upon their own heads, and upon those that shall send them, seeing that by so doing they shall not only incur the danger of our laws, but also a high and treble contempt of our gracious favour and clemency now extended towards them.

And in general, since no man can pretend ignorance of our laws, that all Jesuits and priests of what order soever, and their senders, may hereby be admonished to beware any further to tempt our mercy, in presuming to repair any more within this our kingdom, in regard of their known peril, and of the care that we are resolved to have for preserving of our good subjects from their

danger of body and soul, since their errand can be no other here, but only for diverting of our good subjects' hearts from their due obedience both to God and us.

And lastly, because the horror and detestation of the powder treason in the minds of our parliament bred amongst other things, that oath of allegiance to be taken by our subjects, so highly impugned by the pope and his followers, as we are enforced by our own pen to take in hand[b] the maintenance of our cause for that oath, which howsoever odious it was to the pope, yet was it only devised as an act of great favour and clemency towards so many of our subjects, who though blinded with the superstition of popery, yet carried a dutiful heart towards our obedience; for hereby was there a separation and distinction made between that sort of papists and the other pernicious sort, that couple together that damnable doctrine and detestable practice before mentioned; therefore in consideration that the said oath serveth to make so true and merciful a distinction between these two sorts of papists, as is already said, we cannot but hold it most convenient for the weal of all our good subjects, and discovery of bad people, that greater care shall be used hereafter in the general ministration of this oath to all our subjects, than hath been heretofore used.

And therefore it is our express will and pleasure, and accordingly we do hereby straitly charge and command all and singular our bishops, justices of assize, justices of

[b] *by our own pen to take in hand*] King James wrote first "An Apology for the Oath of Allegiance, against the two breves of pope Paulus Quintus and the late letter of cardinal Bellarmine to G. Blackwel the archpriest," and afterwards on reprinting it, a "Premonition to all most mighty Monarchs, Kings, Free Princes, and States of Christendom" on the same subject; in the latter of which he proves at considerable length that the papacy is Antichrist, and states his own personal faith on the principal points at issue between the Churches of England and Rome.

peace, and all other our officers, whom it may concern, to minister the same to all such persons, and in all such cases, as by the law they are enabled, knowing that the meaning of the law was not only to authorize them to do it when they would, and to forbear it at their pleasure, but to require it at their hands, as a necessary duty committed to them, and imposed upon them, as persons of chief and principal trust under us, for the good and safety of us and our state. Given at our palace of Whitehall the second day of June, in the eighth year of our reign of Great Britain, France, and Ireland, anno Domini MDCX.

CXXVI.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Ric. Bancroft 6.	1610.	Jacob. I. 8.

The archbishop of Canterbury's letter about pluralities and other matters relating to the church.—Reg. Bancroft, fol. 172. b.

"SALUTEM in Christo." That which I should have signified to your lordship at your being here, had we

The archbishop of Canterbury's letter] This letter was occasioned by the proceedings of the house of commons in the session that opened on the 9th of Feb. 1610. Early in the session two separate bills were brought into the house, and proceeded with, against pluralities and non-residence; and a committee of grievances was appointed, which collected materials and made reports to the house. On the 7th of July the commons presented their grievances to the king, and on the 10th of the same month attended in a body at Whitehall to hear his majesty's determination so far as he was then able to answer them; which may be expressed summarily in the three following instructions they then received from him. 1. "That they meddle not with the main points of government; that is his craft 'tractent fabrilia fabri.' 2. He

met together, I am now to impart unto you in this sort. Upon the grievances exhibited unto his majesty by the lower house of parliament, he hath been pleased to undertake much on our behalf, and to lay a great burden upon me, which I am not otherwise able to bear, but by the assistance of your lordship and others our brethren the bishops. These are therefore, in discharge of mine own duty, very heartily to pray and require your lordship, that you forthwith inform yourself, how many ministers have two benefices within your diocese, and whether every one of them hath a preaching minister to supply his absence where he doth not reside himself, according to the XLI. and XLVII. constitutions; and if herein you find any want, send presently for the parties, and charge them by virtue of the said canons, and in his majesty's name, as they will avoid his displeasure, that with-

would not have such ancient rights, as he had received from his predecessors, accounted grievances. 3. That they should be careful not to present that for a grievance, which was established by a law; for it is very undutiful in subjects to press their king wherein they are sure to be denied. Complaints may be made unto them of the high commissioners: let the abuse appear and then spare not; there may be errors among them: but to take away the commission is to derogate from him: and it is now in his thoughts to rectify it in a good proportion." The king's complete and final answer to the grievances of the commons was given on the 23rd of July in the presence of both houses when he prorogued the parliament. From that answer it appears that the complaints were for the most part on matters of religion, viz. "touching execution of laws against popish recusants: touching deprived and silenced ministers: touching pluralities and non-residents: touching excommunication: concerning the commission for causes ecclesiastical, and particularly of the extent of the statute of 1 Eliz. cap. 1: of grievances apprehended in the commission itself: of the grievances found in the execution of the commission: and touching prohibitions." On these several points the king gave temperate answers, and the archbishop was commanded, as appears from the letter before us, to look closely into all cases of real abuse, for the purpose of correcting them. See Journals of Lords, an. 1610. p. 658. Journals of Com. an. 1610. pp. 393. 447. Wilson in Kennet, vol. ii. p. 682.

out any delay they supply that defect. Perhaps some may give unto your lordship froward answers, and either refuse or delay to give you satisfaction herein; which if they do, I require you, in his majesty's name, to suspend them for their contempt, and to certify me thereof presently, that I may give order to stay all inhibitions in that case. If any such person keep the benefice in his own hands, whereupon he doth not reside, then I would have you to sequester the fruits of it, and to allow out of them a reasonable portion for a curate that is a preacher. If a pluralist, having one benefice in your lordship's diocese, be resident in another, then you to call him by process; if he be a delinquent herein, I heartily desire your lordship to use your best diligence in this matter, to the end that notice thereof may be had throughout your diocese before the next session of parliament; and fail not to write unto me before that time what you have done therein, and upon any wilfulness shewed to your lordship, or other impediment, whereby you cannot prevail with some party, let me presently be informed of his name, and I will send for him myself. Secondly, you are to inform me of the names and degrees of all those that have two benefices within your diocese, or but one in your diocese and another in another diocese. Thirdly, it is his majesty's strait charge, that you require all your prebendaries to be resident upon their benefices, and there to preach every Sunday, according to the tenour of two canons made in that behalf; and taking the course before mentioned, write unto me the names of such as shall refuse to obey you herein. Fourthly, you must be careful and diligent in the administering of the oath of allegiance, according to the trust reposed in you by the statute made this session[a], which I pray you procure

[a] *by the statute made this session*] Stat. 7 Jac. 1. c. 6. "An act for administering the oath of allegiance, and reformation of married women recusants."

forthwith, as soon as the same, together with the rest, shall be printed: they are now in the press. Fifthly, your lordship is to use the best means and help you can, by the assistance of all your officers, that his majesty may receive from you, to be delivered unto him by me, the number of all recusants men and women within your diocese, in as exact a manner as you can possibly procure it, and this not only to be done this vacation, but every year hereafter: it is his majesty's direct commandment. Sixthly, you are to give order to your officers, to use their best endeavours and diligence, that all recusants in every parish may be presented unto them, and then take some pains yourself to see, that they be all truly certified to the judges and justices in their sessions and assizes, to the end they may be there indicted and convicted; and when your lordship doth make your certificate, as is aforesaid, write to the judges and justices, as having received direction therein from me; then they will be careful for the indicting and conviction of such, as shall be presented unto them; letting them know, that if I may be certified of any slackness herein of them, I will assuredly acquaint his majesty with it. I have heard that when recusants are presented, there is some negligence in setting down their true names, whereby they oftentimes escape from being proceeded with; I pray your lordship give your best directions for the prevention hereof. If any gentleman, who keepeth any recusants in his house, shall refuse to deliver to the churchwardens, or to any, whom your lordship shall send unto him, the true names of them; write unto me thereof, and I will cause him to be sent for by the lords of his majesty's privy council. Seventhly, until by the means aforesaid, that all recusants within your diocese shall be convicted, take such order in any wise with them, as that they may be all excommunicated, and accordingly denounced in your cathedral church, and send me the names of all that shall be so

denounced, with their qualities, callings, and abilities, that I may make such use thereof, as shall be fit for the good of the church. Eighthly, I will be bold as of myself straitly to charge you, that forasmuch as our excommunications of recusants are utterly by them contemned, and for that they find more favour, than I would wish, to the increasing of their obstinacy, you do forthwith give your order, if you list in my name, to all the ministers of your diocese, that they do not bury neither in the church nor the churchyard, nor suffer to be buried, as much as in them lieth, any popish recusants, that die excommunicated. We that are bishops, have much to answer before God for our slackness hitherto in this point; the law therein being our warrant. Ninthly, I must likewise charge you to examine very narrowly the proceedings of your chancellors, commissaries, archdeacons, and officials; for whilst we repose so much trust in them as we do, and they intend little, I mean especially chancellors, commissaries, and officials, but their own profit, many true complaints and mischiefs do indeed thereof ensue. If in your lordship's care to reform these kinds of abuses, you find any chancellors, commissaries, or officials, stubborn and disobedient, write unto me thereof, for we may no longer, to our utter discredit, leave these abuses unreformed, and I am well assured, that wherein we shall want ability, his majesty will yield unto us sufficient strength. Tenthly, it being more than notorious, that many parsons and vicars, and especially such as have two benefices, do suffer their houses to run into decay, where they do not reside themselves; it is his majesty's pleasure, that you take present care in that behalf, by appointing all your under officers to look upon presentments already made of such defects, and otherwise, by all ways and means to inform yourself, and thereupon to call the parties offending herein before you, and to take such order as that either they themselves shall presently repair

their houses, or else do you sequester their livings, allotting a fit portion for them to live upon, and causing the rest to be so employed; for besides that such neglecting of their houses doth argue too much greediness, and is a great scandal to the best affected in their parish, it is very injurious to their successors. Eleventhly, there have been many constitutions formerly made concerning the apparel of ministers, but never was their pride in that respect so great as now it is, from the dean to every curate, nothing being left that way to distinguish a bishop from any of them; you shall find deans usually either in their velvet, damask, or satin cassocks, with their silk netherstocks[b]; nay some archdeacons and inferior ministers, having two benefices, are likewise for the most part so attired; to omit that their wives, in the cost and vanity of their apparel, do exceed as much and more, which is one principal motive why there is such exclamation against double-beneficed men, and such as beside their two benefices have some other preferment "sine cura." What to move your lordship in this behalf I well know not, but as any so attired shall come before you, let him know particularly, and in my name, that they do greatly forget themselves in these so chargeable vanities, many of them having more care, to their own scorn, so to garnish themselves and their wives, than to furnish their studies

[b] *silk netherstocks*] "Then have they nether-stocks to these gay hosen, not of cloth (though never so fine) for that is thought too base; but of Jarnsey worsted crewell silke thred, and such like: or else at the least of the finest yarn that can be got; and so curiously knit with open seame down the legge, with quirkes and clockes about the ancles, and sometime (haply) interlaced with golde or silver threds, as is wonderful to beholde." Stubs, Anatomie of Abuses, p. 31.

Netherstocks of silk are constantly specified in the proclamations issued by queen Elizabeth against excess of apparel, and in her proclamation of 1597 she prohibited the use of them to all under the degree of a knight, excepting gentlemen of her household, with a few others, and such as could dispend 200*l.* by the year.

with such books, as might enable them the better to discharge their duties, as well for the confirmation of the truth, as for the refuting of all their opposites and adversaries. Assuredly if at our next session, your lordship, and so the rest of my brethren shall not be able to inform me, that upon this my letter and admonition there is some hope, that these abuses will be redressed, I will be an humble suitor unto his majesty, that some straight order, by his direction, may be taken in that behalf, for that this so chargeable a vanity should not be still continued; whilst many other men endure great want, it is very intolerable; seeing that by such their bravery in apparel, they do procure no manner of credit unto themselves, but rather, upon my knowledge, great envy and heartburning against their calling and estates. These and some other abuses being oft objected unto me, do oftentimes plunge me, as being always ready to cover and excuse our imperfections of the clergy; but I must be forced to leave them, if they will not be content to be advised by me. Twelfthly, I have been content, that all bishop Jewel's works [c] should be printed together in one volume, to the end that every parish in England might have one of them. In the late queen's time of worthy memory, every parish was driven to buy "Erasmus's Paraphrase [d] upon the New Testament," and the said bishop's "Reply against Harding [e]; one of the said books delivering plainly to every man's understanding the true sense and meaning of the whole New Testament, and the other containing a very notable and learned confutation of all the principal points almost of popery: and therefore for-

[c] *Bishop Jewel's works*] This edition was printed in folio in the year 1609 by "John Norton, printer to the king's most excellent majesty."

[d] *Erasmus's Paraphrase*] See queen Elizabeth's Injunctions No. XLIII. It had been required previously in king Edward's Injunctions No. II.

[e] *Reply against Harding*] See Strype, Parker, vol. ii. p. 151.

asmuch as the same true causes, which moved her late majesty to impose the said books upon every parish, do remain still in force, there being more recusants now than at that time; I have thought it my duty very heartily to entreat your lordship, so to deal with the chancellor, commissary, archdeacons, and officials, as by their means, and your own, with the rest of the preachers and ministers of your diocese, they may induce their parishioners to be willing, every parish to buy one of the works of bishop Jewel; and I am so far persuaded of your lordship's ability to prevail with your clergy herein, as I did likewise in as hearty manner desire you to send for as many of the said books ready bound unto Mr. Norton, as there are parishes in your diocese, that hereby the said parishes may have those books near at hand, which will the better encourage them to buy them. What you shall be content to do herein, I know his majesty will take in very good part, being ever of his most princely goodness ready to like and approve of that, which may tend to the instruction and benefit of his loving subjects; and besides, you shall bind me very much hereby unto you, in that I gave encouragement to the printing of the said works in one volume, to the end, that the whole realm might in that sort be furnished with them; and for the prices of them I will take order that they shall be reasonable. Lastly, his majesty is not well pleased with the negligence generally of almost all the bishops in England, touching the collections prescribed heretofore by his majesty, for the building of the church and chapels of Arthure in Cumberland[f]; and therefore I

[f] *Arthure in Cumberland*] "The parish church of Arthuret in Cumberland was built in the year 1609, by the help of a charity brief; but the persons employed in the building going off with a considerable part of the money collected, the tower was left unfinished: towards which Dr. Todd the rector expended about 60*l* and procured contributions of 20*l*. or 30*l*. more." Hutchinson's Cumberl. vol. ii. p. 546. note.

pray you in any wise call your officers before you, and take a strict account of them; first, how many collections have been made, and where the money remaineth; for I am persuaded that in many dioceses, much doth rest in the collector's hands. Besides, there be sundry dioceses wherein there hath been no collection at all, and in some not past one or two. Let me receive your lordship's particular letter to be shewed to his majesty, how his pleasure and directions touching this collection have been accomplished in your particular diocese, after you have informed yourself of the premises, and done the best you can in this matter. I must tell your lordship, that I am to send to his majesty, by his commandment, a copy of this letter, and that I keep likewise a copy of it myself, to the end, that both his majesty may know what I have done, and I be able to justify myself for the discharge of mine own duty, and so leave the blame and burden upon them, who shall through their negligence deserve it; and so with my hearty commendations and prayer I commit your lordship to the tuition of Almighty God. At Lambeth the 27th of July, MDCX.

CXXVII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Ric. Bancroft 6.	1610.	Jacob. I. 8.

A letter for contributions towards the prince's library.—Reg. Bancroft, fol. 174. a.

THE prince is earnestly affected to have such a library, as is fit for his highness; whereof I having notice, did hold it very convenient, that the abler sort of the clergy,

A letter for contributions] Prince Henry died Nov. 6, 1612, in the 19th year of his age. Of his love of learning sir Walter Ralegh has furnished evidence in the preface to his "History of the World," which

as well as we that are bishops, should give unto his highness some books towards the furnishing of the said library; and because they shall not be able to know what books the prince doth want, deal with the abler sort of double beneficed men in my name, to send up unto me every one of them five pound apiece to be bestowed for them upon such books as I shall know are meet, leaving the catalogue of all his books, to be presented afterwards by me unto his highness in their names. I trust they will give me so much credit, offering unto them my service herein. I have not hitherto been ready to move any extraordinary charge, but in this case I hold it very convenient, that his highness being so wise, judicious, and worthy a prince, should have some little glimpse of our love and duty towards him. I did not think it fit to mention this point in my letter, as holding it convenient that no more should be acquainted with it than such men, as you mean shall contribute. Your lordship well knoweth that the prince will take it very kindly that your chancellor, and the richer sort of commissaries of yours and other dioceses should bestow some law books upon his highness; and accordingly I think fit that some of them ought to give twenty marks, some 10*l.* and the least twenty nobles. I therefore pray your lordship to deal with yours accordingly, and to cause them forthwith to send up the money unto me, assuring them that

was written at this period. "It was for the service of that inestimable prince Henry, the successive hope, and one of the greatest of the Christian world that I undertook this work. It pleased him to peruse some part thereof and to pardon what was amiss." And again at the end of the work "besides many other discouragements persuading my silence, it hath pleased God to take that glorious prince out of the world, to whom they were directed; whose unspeakable and never enough lamented loss hath taught me to say with Job 'versa est in luctum cithara mea, et organum meum in vocem flentium.'" See also Wood's Ann. vol. ii. p. 312. Collect. Curiosa, vol. i. p. 212.

their names, their books, and the prices of them shall not be omitted in the general book, which is to be exhibited to his highness of the whole contribution.

CXXVIII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
GEO. ABBOT 2.	1612.	JACOB. I. 10.

Articles to be inquired of in the cathedral church of Bristol, in the metropolitical visitation of the most reverend father in God, George, by God's permission archbishop of Cant. and primate of all England, in the year of our Lord God MDCXII.—Reg. I. Abbot, fol. 229. a.

I. INPRIMIS, Of what number of persons doth your cathedral church stand?

II. Item, Whether have you any laws, statutes, or ordinances in your church, and by whom the same were made?

III. Item, Whether doth every member of your church, at his first admission to the same, swear to observe such statutes and ordinances of the church, so far as they concern himself, and are not contrary to the laws of this land?

IV. Item, What other benefice or ecclesiastical preferment have the dean, archdeacon, prebendaries, and other ecclesiastical persons of the church, besides their rooms, and places in the same?

V. Item, How are the XLII. XLIII. and XLIV. canons for the residency of the dean, as well in the said cathedral church, as upon their benefices, and* in the convo-

* Forte desunt: the rest of the canons made, aut quid simile. —WILKINS.

cation anno MDCIV. and confirmed by his majesty under the great seal of England, kept and observed?

VI. Item, What time of residence is every residentiary in your church bound unto? and whether do not they dispense one with another for their residency, or some time thereof every year?

VII. Item, Whether be not all the residentiaries in your church many times absent at one time, so that none is to be seen in the church there for divers weeks together, to do the service due to the church, or to keep hospitality there?

VIII. Item, Whether do they at the time of their living there according to their statutes, and the laudable customs of this church, keep hospitality there?

IX. Item, Whether there be not a general neglect among the said canons of coming to evening prayer Sundays, holidays, and other week days?

X. Item, What extraordinary leases have you past within these five years last past? and whether have you not entered into bonds and covenants to make or renew any lease hereafter, whose term is not yet expired, contrary to the true intent of the laws and statutes of this land? and what leases, covenants, and grants have been thus made, and to whom?

XI. Item, Whether your prebendaries in the time of their lying from their cathedral church, do preach upon their benefice, and keep hospitality there, as by the laws of the church and realm they are bound?

XII. Item, Whether sermons be duly had in your cathedral church upon the Sabbaths, and holidays? and how oft in the year have you the communion ministered amongst you in the cathedral church? and how often have you sermons or lectures on the week days in your cathedral church aforesaid, and by whom? and what are the statutes of your church in this behalf?

XIII. Item, How cometh it to pass, that whenas the

mayor and aldermen of this city were wont, to the credit of this place, to resort to your cathedral church, and there to hear divine service, now they forbear the same? and who gave the cause of their forbearing thereof? and whether there have been any means made for the reconciliation of either corporation to the other again?

XIV. Item, Whether there be any of your whole number, that be any ways affected to the Romish religion, and thereupon frequent not divine service, nor receive the sacrament of the Lord's supper?

XV. Item, What is the number of those which are to attend in the quire, or of other officers belonging to the church? and whether be those places supplied with persons fit and sufficient for the same, and if not, by whose fault it is?

XVI. Item, Whether the choristers be well ordered, and the number of them furnished? and who hath the charge of catechising, and instructing of them in principles of religion? and whether are they so brought up?

XVII. Item, Whether is there care had for the due repairing of the cathedral church or chancel, and other isles, chapels, and edifices thereto adjoining, for stone, timber, glass, lead and iron, and all other necessaries thereto, or any part thereof belonging? and if there be default, by whom it is, and who ought to repair it?

XVIII. Item, Whether the officers of your church, namely the steward, treasurers, receivers, bursers, accountants, and such like, do yearly make a true account, and pay such money, as is due to the church upon their account? and whether any such person be now indebted to the church; who it is, and how much?

XIX. Item, Whether there be any of your number that are detected, or grievously suspected of any infamous crime, to the reproach of religion, or the place where they now live?

XX. Item, Whether any of the body of this church,

or any other belonging to this church, be known, or vehemently suspected to have bought for money, or other reward, the room or place, which he now holdeth among you, or any other his ecclesiastical preferments?

XXI. Item, Whether the muniments and evidences of your church be safely kept and preserved from the gnawing of rats, mice, or other such vermin, and be kept dry from the injury of rain, and such other like offensive weather? and whether they be so fit and orderly disposed in your muniment house, or be so registered in your books and ledgers, as that when need shall be, you may easily find out the same without much search?

XXII. Item, Whether the bishop's palaces, your own prebendary houses, and other edifices and chambers to either of them belonging, are kept in all due and necessary reparations? and if there be any notorious ruins and decays in the same, how long have the same continued, and what is the cause the same is not repaired and amended?

CXXVIII*.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Geo. Abbot 6.	1616.	Jacob. I. 14.

Articles to be inquired of in the first metropolitical visitation of the most reverend father George archbishop of Canterbury, in the year of our Lord God **1616.**

The tenor of the oath to be ministered to the churchwardens and side-men.

YOU shall swear that you and every of you shall duly consider and diligently inquire of all and every of

Articles &c.] These are copied from an old edition without date printed at London by William Jaggard, a copy of which is preserved in the Bodleian (4to. C. 203. Art.) They differ slightly from the articles

these articles given you in charge; and that all affection, favour, hatred, hope of reward and gain, or fear of displeasure or malice set aside: you shall present all and every such person of or within your parish, as hath committed any offence or made any default mentioned in these or any of these articles; or which are vehemently suspected or defamed of any such offence or default. Wherein you shall deal uprightly and fully, neither presenting nor sparing to present any, contrary to truth; having in this action God before your eyes, with an earnest zeal to maintain truth and to suppress vice. So help you God and the holy contents of this book.

Concerning the church, the ornaments thereof, and the churches possessions.

Imprimis, Whether have you in your several churches and chapels the whole Bible of the largest volume, and the book of Common Prayer lately set forth by his majesty's authority, both fairly and substantially bound; a font of stone, set up in the ancient usual place; a convenient and decent communion table with a carpet of silk, or some other decent stuff, continually laid upon the table at time of divine service, and a fair linen cloth upon the same at the time of the receiving of the holy communion. And whether is the same table placed in such convenient sort within the chancel or church, as that the minister may be best heard in his prayer and administration, and that the greatest number may communicate. And whether is it so used out of time of

issued by archbishop Bancroft. Similar articles were issued by archbishop Laud for the diocese of Winchester in 1635 (Bodl. 4to. C. 203. Art.) with such additions as grew out of the king's Instructions (No. CXXXVIII.) and with strict regulations respecting church property and terriers, but without any of those directions on points of form and discipline which were afterwards treated as innovations. Nos. CXLIII. and CXLV.

divine service, as is not agreeable to the holy use of it, by sitting on it, and by throwing hats on it, and writing on it; or is it abused to other profaner uses. And are the Ten Commandments set upon the east end of your church or chapel, where the people may best see and read them, and other sentences of holy scripture written on the walls likewise for that purpose.

2. Item, Whether have you in your said church or chapel a convenient seat for your minister to read service in, together with a comely pulpit set up in a convenient place, with a decent cloth or cushion for the same, a comely large surplice, a fair communion cup with a cover of silver, a flagon of silver, tin, or pewter to put the wine in, whereby it may be set upon the communion table at the time of the blessing thereof, with all other things and ornaments necessary for the celebration of divine service, and administration of the sacraments: and whether have you a strong chest for alms for the poor with three locks and keys, and another chest for keeping the books and ornaments of the church, and the register book: and whether have you a register book in parchment for christenings, weddings, and burials, and whether the same be kept in all points according to the canons in that behalf provided. And whether have you in your said church or chapel a table set of the degrees wherein by law men are prohibited to marry.

3. Whether are your church and chapels with the chancels thereof, and your parsonage or vicarage house, your parish almshouse and churchhouse in good reparations: and are they employed to godly and their right holy uses. Is your church, chancel. and chapel decently and comely kept as well within as without, and the seats well maintained according to the 85th canon in that behalf provided. Whether your churchyard be well fenced and kept without abuse; and if not, in whose default the same is, and what the defect or fault is. And

whether any person have encroached upon the ground of the churchyard; or whether any person or persons have used any thing or place consecrated to holy use, profanely or wickedly.

4. Whether have you the terrier of all the glebe lands, meadows, gardens, orchards, houses, stocks, implements, tenements, and portions of tithes (whether within your parish or without) belonging unto your parsonage or vicarage, taken by the view of honest men in your said parish. And whether the said terrier be laid up in the bishop's registry; and in whose hands any of them are now. And if you have no terrier already made in parchment, you the churchwardens and side-men, together with your parson or vicar, or in his absence with your minister, are to make diligent inquiry and presentment of the premises, and make subscribe and sign the said terrier as aforesaid.

Concerning the ministers.

Whether doth your minister distinctly and reverently say divine service upon Sundays and holidays, and other days appointed to be observed by the book of Common Prayer, as Wednesdays and Fridays, and the eves of every Sunday and holiday, at fit and usual times. And doth your minister duly observe the orders, rites, and ceremonies prescribed in the said book of Common Prayer, as well in reading public prayers and the Litany, as also in administering the sacraments, solemnization of matrimony, visiting the sick, burying the dead, churching of women, and all other like rites and offices of the church, in such manner and form as in the said book of Common Prayer he is enjoined, without any omission or addition. And doth he read the book of the last canons once yearly, and wear a surplice according to the said canons.

2. Doth your minister bid holidays and fasting days,

as by the book of Common Prayer is appointed. And doth he give warning beforehand to the parishioners for the receiving of the holy communion, as the 22d canon requireth: and whether he doth administer the holy communion so often and at such times, as that every parishioner may receive the same at the least thrice in every year, whereof once at Easter, as by the book of Common Prayer is appointed. And doth your minister receive the same himself on every day that he administereth it to others, and use the words of institution according to the Book at every time that the bread and wine is renewed, accordingly as by the proviso of the 21st canon is directed. And doth he deliver the bread and wine to every communicant severally. Whether he hath admitted to the holy communion any offender or schismatic contrary to the 26th and 27th constitutions, or received any to the communion being not of his own cure, or put any from the communion who are not publicly infamous for any notorious crime. Doth he use the sign of the cross in baptism, or baptize in any basin or other vessel, and not in the usual font: or admit any father to be godfather to his own child, or such which have not received the holy communion; or baptize any children that were not born in the parish, or wilfully refuse to baptize any infant in his parish being in danger, having been informed of the weakness of the said child: and whether the child died through his default without baptism.

3. Whether hath your minister married any without a ring, or without banns published three several Sundays or holidays in time of divine service in the several churches or chapels of their several abode, according to the book of Common Prayer; or in times prohibited, albeit the banns were thrice published, without a license or dispensation from the archbishop, the bishop of the diocese, or his chancellor, first obtained in that behalf;

or not betwixt the hours of eight and twelve in the forenoon; or have married any in any private house; or if the parties be under the age of twenty-one years, before their parents or governors have signified their consent unto him.

4. Doth he refuse to bury any which ought to be interred in Christian burial, or defer the same longer than he should, or bury any in Christian burial which by the constitutions of the church of England ought not to be so interred.

5. Is your minister a preacher allowed. If yea, then by whom. If not, whether doth he procure some who are lawfully licensed, to preach monthly amongst you at the least.

6. Doth your minister (being licensed) preach usually according to the canons either in his own cure, or in some other church or chapel near adjoining, where no preacher is; and how often he hath been negligent in that behalf: and doth he preach standing and with his hat off. Or whether doth he or his curate upon every Sunday when there is no sermon read an homily, or some part thereof, according as he ought to do. Or in case he be not licensed to preach, doth he take upon him to preach or expound the scriptures in his own cure or elsewhere: if so, then you are to present the same, the time and place, when and where he did it.

7. Doth your minister use to pray for the king's majesty, king James, and for the queen's majesty, the prince, and all their royal progeny, with addition of such style and titles as are due to his highness; and exhort the people to obedience to his majesty, and all magistrates in authority under him.

8. Is your minister continually resident upon his benefice, and how long time hath he been absent; and in case he be licensed to be absent, whether doth he cause his cure to be sufficiently supplied, according to the

canons: or in case he hath another benefice, whether doth he supply his absence by a curate sufficiently licensed to preach in the cure where he himself is not resident. Or otherwise in case the smallness of the living cannot find a preaching minister, doth he preach at both his benefices usually.

9. Doth your minister or curate serve any more cures than one. If yea, then what other cure doth he serve, and how far are they distant.

10. Doth your minister every Sunday and holiday before evening prayer, for half an hour or more, examine and instruct the youth and ignorant persons of his parish in the Ten Commandments, Articles of the Belief, and in the Lord's Prayer, and the Sacraments, according as it is prescribed in the Catechism set forth in the book of Common Prayer.

11. Doth your minister in the rogation days go in perambulation of the circuit of the parish, saying and using the prayers, suffrages, and thanksgiving to God, appointed by law, according to his duty; thanking God for his blessings, if there be plenty on the earth, or otherwise, to pray for his grace and favour, if there be a fear of scarcity.

12. Hath your minister admitted any woman, begotten with child in adultery or fornication, to be churched without license of the ordinary.

13. Hath your minister or any other preacher, baptized children, churched any woman, or ministered the holy communion, in any private house, otherwise than by law is allowed.

14. Doth your minister, being a preacher, endeavour and labour diligently to reclaim the popish recusants in his parish from their errors (if there be any such abiding in your parish). Or whether is your parson, vicar, or curate, over-conversant with or a favourer of recusants, whereby he is suspected not to be sincere in religion.

15. Hath your minister taken upon him to appoint any public or private feasts, prophecies, or exercises, not approved by law or public authority; or hath used to meet in any private house or place, with any person or persons, there to consult how to impeach or deprave the book of Common Prayer, or the doctrine or discipline of the church of England. If yea, then you shall present them all.

16. Hath your minister stayed the publication of any excommunications or suspensions; or doth he every half year denounce in his parish church all such of his parish as are excommunicated, and persevere therein without seeking to be absolved; or doth he wittingly and willingly keep company with such as are excommunicate. And hath he admitted into your church any person excommunicate, without a certificate of his absolution from the ordinary or other competent judge.

17. Doth your minister carefully look to the relief of the poor, and from time to time call upon his parishioners to give somewhat, as they can spare, to godly and charitable uses, especially when they make their testaments.

18. Whether your minister, or any having taken holy orders, being now silenced or suspended, or any other person of your knowledge, or as you have heard, hold any conventicles, or doth preach in any place, or use any other form of divine service than is appointed in the book of Common Prayer. If yea, then you are to present their names, and with whom.

19. Whether is your curate licensed to serve by the bishop of this diocese, or by any other; and by whom.

20. Doth your minister use such decency and comeliness in his apparel, as by the 47th canon is enjoined: and is he of sober behaviour, and one that doth not use such bodily labour, as is not seemly for his function and calling.

21. Is your minister noted or defamed to have ob-

tained his benefice or his orders by simony; or any other way defamed to be a simoniacal person; or any way noted to be a schismatic or schismatically affected, or reputed to be an incontinent person, or doth table or lodge any such in his house. Or is he a frequenter of taverns, inns, or alehouses, or any place suspected for ill rule. Or is he a common drunkard, common gamester, or player at dice, a swearer, or one that applieth himself not at his study, or is otherwise offensive or scandalous to his function or ministry.

22. Doth your preacher or lecturer read divine service and minister the sacraments twice a year at least in his own person, according to the canons.

Schoolmasters.

23. Doth any in your parish take upon him to teach school without license of the ordinary; and is he conformable to the religion now established. And doth he bring his scholars to the church to hear divine service and sermons. And doth he instruct his scholars in the grounds of the religion now established in this church of England; and is he careful and diligent to benefit his scholars in learning.

Parish Clerks and Sextons.

24. Have you a fit parish clerk, aged twenty years at least, of honest conversation, able to read and write. Whether are his and the sextons' wages paid without fraud, according to the ancient custom of your parish. If not, then by whom are they so defrauded or denied. By whom are they chosen; and whether the said clerk be approved by the ordinary; and hath he taken an oath as in such cases is fit and required; and is he diligent in his office and serviceable to the minister; and doth he take upon him to meddle with any thing above his office, as churching of women, burying the dead, or such like.

25. Doth your clerk or sexton keep the church clean, the doors locked. Is any thing lost or spoiled in the church through his default. Doth he suffer any unreasonable singing or any profane exercise in your church. Or doth he, when any is passing out of this life, neglect to toll a bell, having notice thereof.

Concerning the parishioners.

Whether any of your parishioners, being sixteen years of age or upwards, or others lodging or commonly resorting to any house within your parish, do wilfully absent themselves from your parish church upon Sundays or holidays at morning or evening prayers; or who come late to church and depart from church before service be done upon the said days; or who do not reverently behave themselves during the time of divine service, devoutly kneeling when the general confession of sins, the Litany, the Ten Commandments, and all prayers and collects are read, and using all due and lowly reverence, when the blessed name of the Lord Jesus Christ is mentioned; and standing up when the Articles of the Belief are read; or who do cover their heads in the church during the time of divine service, unless it be in case of necessity, in which case they may wear a nightcap or coif; or who do give themselves to babbling, talking, or walking, and are not attentive to hear the word preached or read; or reading or praying during the time aforesaid. Whether any of your parish being of sixteen years of age or upwards do not receive the holy communion in your church thrice every year, whereof once at Easter; and whether they do not devoutly kneel at the receiving thereof.

2. Whether any of your parishioners, being admonished thereof, do not send their children, servants, and apprentices to the minister to be catechised upon such Sundays and holidays as are appointed. Or whether any of them do refuse to come; or if they come, refuse to

learn those instructions set forth in the book of Common Prayer.

3. Whether any of your parish do entertain within their house any sojourner, common guests, or other persons, who refuse o frequent divine service, or receive the holy commun on as aforesaid. Present their names, their qualities, or conditions.

4. What recusant papists are there in your parish. Present their names, qualities, or conditions. Whether keep they any schoolmaster in their house, which cometh not to church to hear divine service and receive the communion. What is his name, and how long hath he taught there or elsewhere.

5. Whether any of the said popish recusants do labour to seduce and withdraw others from the religion now established; or instruct their families or children in popish religion; or refuse to entertain any, especially in place of greatest service or trust, but such as concur with them in their papistry.

6. How long have the said popish recusants abstained from divine service, or from the communion as aforesaid.

7. Is there any in your parish that retain undefaced, or sell, utter, or disperse, any popish books or writings, or other books, libels, or writings of any sectaries, touching the religion, state, or government ecclesiastical, of this kingdom of England, or keep any ornaments of superstition uncancelled or defaced.

8. Whether have you any in your parish, which heretofore being popish recusants or sectaries, have since reformed themselves, and come to church to hear divine service and receive the sacraments. If yea; then who they are; and how long since have they so reformed themselves; and whether they still remain and abide in that conformity.

9. Is there any in your parish that refuse to have their

children baptized, or themselves to receive the communion at the hands of your minister, taking exception against him; and what causes or exceptions do they allege; or have any married wives refused to come to church according to the book of Common Prayer, to give God thanks after their childbirth, for their safe deliverance. And whether do any of or in your parish, refuse to have their children baptized in your parish church, according to the form prescribed in the book of Common Prayer.

10. Whether any of your parish having a preacher to their parson, vicar, or curate, do absent themselves from his sermons, and resort to other places to hear other preachers. Or whether any of your parish do communicate or baptize their children in any other parish.

11. What persons within your parish for any offence, contumacy, or crime of ecclesiastical cognizance, do stand excommunicate. Present their names, and for what cause they are excommunicated, and how long they have so stood, and what person or persons do wittingly and usually keep them company.

12. Whether any not being in orders do execute any priestly or ministerial office in your church, chapel, or churchyard, or what be their names.

13. Whether any in your parish, that having heretofore taken upon him the order of priesthood or deacon, hath since relinquished the same, and lives a layman, neglecting his vocation.

14. Have any person in your parish quarrelled, or stricken, or used any violence to your minister, or have stricken or quarrelled with any other person within your church or churchyard, or demeaned himself disorderly in the church by filthy or profane talk, or any other lewd or immodest behaviour; or have disturbed the minister in time of divine service or sermon; or have libelled or spoken slanderous words against your minister, to the

scandal of his vocation; or defamed any of his neighbours, touching any crime of ecclesiastical cognizance.

15. Whether any of or in your parish without consent of the ordinary, or other lawful authority, have caused any to do penance, or to be censured or punished for any matter of ecclesiastical cognizance, by any vestry meetings, or otherwise by their own authority; or have taken any money or commutation for the same. Present their names that have done it; and who have been so punished; in what manner and after what cause.

16. Whether any person in your parish do exercise any trade or labour, buy or sell, or keep other shops or warehouses, upon any Sunday or holiday by themselves, their servants, or apprentices; or have otherwise profaned the said days, contrary to the orders of the church of England. And whether there be any inn-keepers, alehouse-keepers, victuallers, or other persons that permit any persons in their houses to eat, drink, or play during the time of divine service or sermon, or reading the homilies in the forenoon or afternoon upon thosedays.

17. Whether the first day of August and the fifth day of November be kept holy, and thanksgiving made to God for his majesty's and this state's happy deliverance, according to the ordinance on that behalf.

18. Whether any of your parish hold or frequent any conventicles or private congregations, or make or maintain any constitutions agreed upon in any such assemblies. Or any that do write or publicly or privately speak against the book of Common Prayer, or any thing therein contained, or against any of the Articles of Religion agreed upon in anno 1562, or against the king's supremacy in causes ecclesiastical, or against the oath of supremacy or of allegiance, as pretending the same to be unlawful and not warrantable by the word of God. Or against any of the rites or ceremonies of the church of England now established. Or against the government of the church of

England, under the king's most excellent majesty, by archbishops, bishops, deans, archdeacons, and other officers of the same; affirming that the same is repugnant to the word of God, and that the said ecclesiastical officers are not lawfully ordained. Or whether there be any authors, maintainers, or favourers of heresy or schism, or that be suspected to be Anabaptists, Libertines, Brownists, of the Family of Love, or of any other heresy or schism. Present their names.

19. Whether any in your parish have married within the degrees by law prohibited, or any couple in your parish being lawfully married, live apart one from the other, without due separation of the law; or any that have been divorced, which keep company with any other at bed or at board; and when and where were they married.

Physicians, Surgeons and Midwives.

20. How many physicians, chirurgeons, or midwives have you in your parish. How long have they used their several sciences or offices, and by what authority. And how have they demeaned themselves therein, and what skill are they accounted to be in their profession.

21. Whether do any persons administer the goods of the dead without lawful authority; or suppress the last will of the dead. Or are there in your parish any wills not yet proved, or goods of the dead, dying intestate, left unadministered, by authority in that behalf. You shall not fail to present the executors and all others faulty therein: and also how many persons being possessed of any goods and chattels have died within your parish since the 17th day of April 1613.

22. Whether any withhold the stock of the church, or any goods or other things given to good and charitable uses.

23. Whether your hospitals and almshouses, and other

such houses and corporations, founded to good and charitable uses, and the lands, possessions, and goods of the same, be ordered and disposed of as they should be. And do the masters, governors, fellows, and others of the said houses and corporations behave and demean themselves according to the godly ordinances and statutes of their several foundations.

24. Whether have you any in your parish to your knowledge, or by common fame or report, which have committed adultery, fornication, or incest; or any which have impudently bragged or boasted that he or she have lived incontinently with any person or persons whatsoever: or any that hath attempted the chastity of any woman, or solicited any woman to have the carnal knowledge of her body: or which are commonly reputed to be common drunkards, blasphemers of God's holy name, common swearers, common slanderers of their neighbours, and sowers of discord, filthy and lascivious talkers, usurers, simoniacal persons, bawds, or harbourers of women with child which be unmarried, or conveying or suffering them to go away before they have made satisfaction to the congregation: or any that having heretofore been presented or suspected of any the aforesaid crimes, have for that cause departed your parish, and are now returned again: or any which have used any enchantments, sorceries, incantations, or witchcrafts, which are not made felony by the statutes of this realm: or any which have committed any perjury in any ecclesiastical court, in an ecclesiastical cause; or which have committed any forgery, punishable by the ecclesiastical laws, and the procurers and abettors of the said offences. You shall truly present the names of all and singular the said offenders, and with whom they have committed the said offences, in case they have not been publicly punished to your knowledge for the same crimes.

Touching the Churchwardens and Sidemen.

1. Whether you and the churchwardens, questmen, or sidemen, from time to time do and have done their diligences in not suffering any idle person to abide either in the churchyard or church-porch in service or sermon time; but causing them either to come into the church to hear divine service or to depart, and not disturb such as be hearers there. And whether have they and do you diligently see the parishioners duly resort to the church every Sunday and holiday and there to remain during divine service and sermon. And whether you or your predecessors, churchwardens there, suffer any plays, feasts, drinkings or any other profane usages to be kept in your church, chapel, or churchyards; or have suffered to your and their uttermost power and endeavour, any person or persons to be tippling or drinking in any inn or victualling house in your parish during the time of divine service or sermon on Sundays and holidays.

2. Whether and how often have you admitted any to preach within your church or chapel, which was not sufficiently licensed. And whether you, together with your minister, have not taken diligent heed and care that every of your parishioners, being of sixteen years of age or upwards, have received thrice every year, as aforesaid. And also that no strangers have usually come to your church from their own parish church.

3. Whether have there been provided against every communion, a sufficient quantity of fine white bread, and of good and wholesome wine for the communicants that shall receive. And whether that wine be brought in a clean and sweet standing pot of pewter, or of other purer metal.

4. Whether were you chosen by the consent of the minister and the parishioners. And have the late churchwardens given up a just account for their time, and de-

livered to their successors the money and other things belonging to the church, which was in their hands. And are the alms of the church faithfully distributed to the use of the poor.

Concerning ecclesiastical magistrates and officers.

1. Whether you do know, or have heard of any payment, composition, or agreement to or with any ecclesiastical magistrate, judge, or officer for winking at or sparing to punish any person for any offence of ecclesiastical cognizance; or for suppressing or concealing of any recusant or any other offender in the cases aforesaid. What sum of money or other consideration hath been received or provided by or to any of them in that respect; by whom and with whom.

2. Hath any person within your parish paid or promised any sum of money or other reward for commutation of penance for any crime of ecclesiastical cognizance. If so, then with whom, when and for what; and how hath the same been employed.

3. Are your ecclesiastical judges and their substitutes masters of arts or bachelors of the laws at the least, learned and practised in the civil and ecclesiastical laws, men of good life and fame, zealously affected in religion, and just and upright in executing their offices. Have they heard any matter of office privately in their chambers, without their sworn registers' or their deputies' presence.

4. Do you know or have you heard that any ecclesiastical judge, officer, or minister, have received or taken any extraordinary fees, or other rewards or promises, by any ways or means, directly or indirectly, of any person or persons whatsoever, either for the granting of the administration of the goods and chattels of those that have died intestate to one before another, or for allotting of larger portions of the goods and chattels of those that

have died intestate, to one more than to another; or for allowing large and unreasonable accounts made by executors or administrators; or for giving them "Quietus est," or discharges without inventory or account, to defraud creditors, legatories, or those who are to have portions. And what sums of money do you know, or have you heard, that any ecclesiastical judge or officer hath taken out of the state of any dying intestate, upon pretence to bestow the same "in pios usus:" and how have the same been bestowed.

5. Hath any ecclesiastical magistrate, judge, officer, or any other exercising ecclesiastical jurisdiction within this your diocese, or any advocate, register, proctor, clerks, apparitors, or other minister belonging to the same ecclesiastical courts, exacted or taken by any ways or means, directly or indirectly, extraordinary or greater fees than are due and accustomed. And whether is there a table for the rates of all fees set up in their several courts and offices. And whether have they sent or suffered any process to go out of the ecclesiastical courts otherwise than by law they ought. Or have they taken upon them the office of informers or promoters to the said courts, or any other way abused themselves in their offices contrary to the law and canons in that behalf provided.

6. What number of apparitors has every several judge ecclesiastical, and wherein and in what manner is the country overburdened by them: and wherein have they caused or summoned any to appear in the said courts without a presentment or citation first had: or whether have they threatened any to prosecute them in the said courts, if they would not give them some rewards: and what bribes in that behalf have they taken.

If you know of any other default or crime of ecclesiastical cognizance, you are to present the same by virtue of your oaths.

The minister of every parish may and ought to join in

presentment with the churchwardens and sidemen; and if they will not present, the minister may and ought himself to present the defaults and crimes aforesaid: and there must be several presentments made to every several article: and the minister, churchwardens, and sworn-men are to meet and confer about the said presentments, and answering of every of the aforesaid articles.

CXXIX.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Geo. Abbot 9.	1619.	Jacob. I. 17.

The archbishop of Canterbury's letter for an uniform manner of prayer before sermon.—Reg. II. Abbot, fol. 181. b.

MY very good lord. His majesty finding partly in his own chapel, but much more in his progresses abroad, that those who preach before him do in their prayers use several and unfit forms, as sometimes naming king James, and nothing else, sometimes using uncertain words, in declaring him to be the defender of the faith, and the like, for being supreme governor in causes both ecclesiastical and temporal, hath commanded me to direct my letters unto the bishops of this province of Cant. to take some course for the reformation of the same; as also for the omitting to pray for archbishops and bishops according to

The archbishop of Canterbury's letter] For the form of prayer here required to be used see canon 55. The "bidding prayer" of earlier times may be seen in Nos. II. and XLIII. The grievance of which the king complained as to the omission of some of the royal titles, had also been treated as a ground of complaint in the time of his predecessor: "another shall be called in question for praying for her majesty, without the additions of her style; whereas the very form of prayer in the book of Common Prayer hath 'thy servant Elizabeth' and no more." Bacon's Works, vol. ii. p. 517.

the form laudably used in the church of England; whereunto his majesty is the rather moved, because he cannot but conceive that these disorders are frequent in market towns and country parishes, when before his own royal presence there is so strange an omission. Now because in the last canons there is a special and particular provision for the same, and a direct form set down, to the end that there may be an uniformity in the church; I do hereby pray your lordship, and in his majesty's name require you to use all the carefulness that you can, for the accomplishing of the same, according to the canon, within your diocese, which will be easily done, if yourself shall require so much of the dean and chapter of your cathedral church, and give in charge unto your archdeacons and chancellor, that in their visitations they do strictly warn the clergy under their jurisdiction, that they at all times, and in all places, where they preach, do observe the same; letting them know, that if hereafter, out of any humour or neglect they transgress in this kind, they are like to undergo such censures ecclesiastical, or otherwise, as are fit to be inflicted upon so high a contempt. And because I do receive complaint almost out of all countries, that the churches are neither repaired, nor seemly adorned, as is fit for the house of God; I pray your lordship, that together with this other charge your subordinate officers may stir up your clergy in solemn sort in their sermons, to call upon the people for reforming this so irreligious an abuse. And so hoping to receive some report from your lordship before it be long, what is done in this behalf, with my hearty commendations I leave you to the Almighty. From Lambeth the ninth of October, MDCXIX.

CXXX.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Geo. Abbot II.	1621.	Jacob. I. 19.

Dispensatio cum Georgio, archiepiscopo Cantuariensi, super irregularitate.— Ex Reliq. Spelm. p. 124.

REVERENDISSIMO in Christo patri Georgio, providentia divina Cantuariensi archiepiscopo, totius Angliæ primati et metropolitano, Johannes Lincoln. Georgius London. Lancelotus Winton. Samuel Norwicen. Thomas Coven. et Lich. Arthurus Bathon. et Wellen. Nicolaus Elien. et Georgius Cicestrensis, permissione divina respective episcopi de provincia Cantuar. salutem et gratiam in Domino sempiternam. Recepimus literas commissionales a serenissimo in Christo principe ac domino nostro, domino Jacobo, Dei gratia Angliæ, Scotiæ, Franciæ, et Hiberniæ rege, fidei defensore, etc. sub magno

Dispensatio cum Georgio] Great as were the anomalies both of character and of conduct in king James, there were few acts of his reign more inconsistent in themselves or more pregnant with important consequences than the elevation of Dr. George Abbot to the province of Canterbury The king was uniform in his aversion to the puritans; and the archbishop was known to be leniently, if not favourably, disposed towards them. The king was extremely jealous on the subject of the prerogative; and the archbishop, as he afterwards shewed by refusing to license Dr. Sibthorp's sermon on apostolical obedience, could resolutely oppose it. It may be inferred from lord Clarendon's well-known description of him, (Hist. Reb. vol. i. p. 135.) that his appointment was highly distasteful to the court; but whatever opinion may be formed of his positive qualifications, (and he certainly possessed many high endowments,) it is clear that the violent contrast afforded between his administration of the church, and that of the prelates who immediately preceded and followed him, and that the many personal altercations, which could not fail to accompany his appointment, were directly the cause of great danger to the establishment, and ultimately

sigillo Angliæ confectas et nobis directas, quarum tenor sequitur in hæc verba:

Jacobus, Dei gratia Angliæ, Scotiæ, Franciæ, et Hiberniæ rex, fidei defensor, etc. reverendo in Christo patri, et perdilecto et perquam fideli consiliario nostro Johanni, episcopo Lincoln. custodi magni sigilli nostri Angliæ, ac reverendo in Christo patri Georgio, episcopo London. ac reverendo in Christo patri, ac perdilecto et perquam fideli consiliario nostro Lanceloto, episcopo Winton. necnon reverendis in Christo patribus Samueli Norwicen. Thomæ Coven. et Lichen. Nicolao Elien. Arthuro Bathon. et Wellen. et Georgio Cicestren. respective episcopis, salutem et gratiam.

Humili nobis supplicatione exposuit reverendissimus in Christo pater, perdilectus et perfidelis consiliarius noster Georgius, Cantuar. archiepiscopus, quod cum nuper in parco quodam vocato Bramzil-park, apud Bramzil in comitatu nostro Southampton. per honorandum virum ejusdem parci dominum rogatus et invitatus damam sagitta figere destinaret, debita adhibita diligentia, ne

the occasion of its downfall. These evils were in themselves sufficiently serious and aggravated: but they were greatly increased by the lamentable occurrence that led to the necessity for this dispensation, and embarrassed him in the discharge of his duties for the rest of his life. It occurred too at a time when several bishops elect were waiting for consecration, (Dr. William Laud being one of them,) who would naturally feel anxious that no possible suspicion should attach to the canonical authority of the archbishop, or to his power of conveying to themselves the spiritual functions of the episcopal order. The occurrence and its consequences were announced by the lord keeper Williams to the duke of Buckingham, in the following manner (Cabala, p. 284.): "His grace, upon this accident, is by the common law of England to forfeit all his estate unto his majesty, and by the canon law (which is in force with us) irregular *ipso facto*, and so suspended from all ecclesiastical function, until he be again restored by his superior; which, I take it, is the king's majesty, in this rank and order of ecclesiastical jurisdictions." "The king," says bishop Hacket, (Life of Abp. Williams, p. 67,) "saw that whether the person of the archbishop were tainted

quid inde periculi cuiquam eveniret, forte tamen accidit, ut sagitta ab eo emissa, et in feram directa, in quendam Petrum Hawkins, adtunc parci prædicti custodem, improvide et temere se periculo ictus sagittæ exponentem, et per locum ubi a præfato archiepiscopo conspici non potuit, cum impetu transcurrentem incideret, eique brachium sauciaret; ex quo quidem vulnere infra unius horæ spatium expirabat. Et quamvis propter hujusmodi homicidium casuale nulla præfati archiepiscopi culpa, sed ipsius occisi temeritate contingens, idem reverendissimus pater bona fretus conscientia, se nullam omnino irregularitatem incurrisse, persuasissimum habeat; provida tamen animi circumspectione, et ut omnis infirmorum mentibus scrupulus eximatur, secum a nobis super omni et omnimoda irregularitate, et irregularitatis nota, aut suspicione, si quam præmissorum ratione contraxisse forsitan aliquibus videri possit, ad cautelam et ex superabundanti dispensari humiliter supplicavit. Sciatis igitur, quod nos petitionis hujusmodi vim et efficaciam regio animo et pio affectu ponderantes, et de veritate præmissorum solicita

by this fact or not, yet his metropolitical function was unsettled in many men's opinions: he heard that the acts of spiritual courts were unsped, and came to no end, till sentence were pronounced one way or other by the supreme authority. Therefore a commission was directed from his majesty to ten persons to meet together for this purpose about the beginning of October." The result of their deliberations was that the king appointed a commission of bishops, and by their means "assoiled the archbishop from all irregularity, scandal, or infamation, pronouncing him to be capable to use all metropolitical authority." The bishops elect still entreating, as a case of conscience, that they might receive consecration from other hands, their prayer was granted; but his canonical authority was fully admitted afterwards, and bishop Laud himself acknowledged it, by acting with him at a subsequent consecration in the year 1628. The remembrance however of this period was an occasion of mourning and dejection to the archbishop for the remainder of his life. Bishop Hacket's Life of Abp. Williams, fol. p. 68. Collier, vol. ii. p. 720. Biog. Brit. art. Abbot. Heylin's Laud, p. 87. Rushworth, vol. i. p. 61.

indagatione certiores facti, et ut piam reverendissimi patris intentionem hac in re sequamur, et ad abundantiorem cautelam perfidelis consiliarii nostri, optimeque de ecclesia et republica meriti præsulis, statum, famam et dignitatem, nostri etiam patrocinii munimine tueri et firmare dignoscamur, ad præsentem venimus dispositionem; vobisque vel aliquibus sex vestrum, quorum vos præfat. Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus, de quorum etiam fide, judicio, et industria plurimum confidimus, mandamus, et de gratia nostra speciali, et ex auctoritate nostra regia suprema et ecclesiastica, qua fungimur, pro nobis, hæredibus, et successoribus nostris damus et plenam concedimus facultatem et potestatem per præsentes, quatenus vos vel aliqui sex vestrum, quorum vos præfatos Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus, cum præfato reverendissimo patre super omni et omnimodo juris vel facti defectu, censura sive pœna aliqua canonica et ecclesiastica, præsertim vero irregularitate omni seu irregularitatis nota, si quæ forsitan ratione præmissorum contracta fuit, vel quibusdam contracta esse videatur, utque in susceptis ordinibus et jurisdictionibus secundum concreditam sibi ratione ordinis, et archiepiscopatus sui potestatem libere ministrare, frui, exercere, et gaudere valeat, ad majorem cautelam dispensetis, ac cætera omnia et singula, quæ ad statum, commodum, et honorem præfati reverendissimi patris conservandum et corroborandum in hac parte necessaria fuerint, seu quomodolibet opportuna, faciatis; et dispensationem hujusmodi, cæteraque sic, ut præfertur, per vos aut aliquos sex vestrum, quorum vos præfatos Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus, facienda in debita juris forma concepta, et in scripta redacta, sigillisque vestris

seu sigillo aliquo auctentico munita, præfato archiepiscopo tradere non differatis. Quam quidem dispensationem, cæteraque sic, ut præfertur, per vos aut aliquos sex vestrum, quorum vos præfatos Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus, peragenda sub magno insuper sigillo nostro Angliæ confirmari volumus, et super his præfati magni sigilli nostri custodi aliisque cancellariæ nostræ ministris quibuscunque expresse mandamus, et plenam tenore præsentium concedimus potestatem. Teste meipso apud Westmon. vicesimo secundo die Novembris, anno regni nostri Angliæ, Franciæ, et Hiberniæ decimo nono, et Scotiæ LV.

Secundum tenorem et exigentiam literarum commissionalium prærecitatarum, et ad eximendum omnem scrupulum ab infirmorum mentibus, siquis forsitan sit, aut fuerit in ea parte conceptus; nos prædicti Johannes Lincoln. Georgius London. Lancelotus Winton. Samuel Norwicen. Thomas Coven. et Lichfeld. Arthurus Bathon. et Wellen. Richardus Elien. et Georgius Cicestren. respective episcopi, Dei nomine primitus invocato, ac Deum præ oculis solum habentes, et considerantes atque pro certo habentes, quod dicta venatio, cui per te data erat opera, quando dictum casuale homicidium (te nihil tale suspicante) accidebat, erat modesta, decens, et quieta, et quod debita per te adhibita erat diligentia in dicta venatione ad præcavendum, ne quid periculi alicui inde eveniret, tecum præfato Georgio, archiepiscopo Cantuariensi, super omni irregularitate et irregularitatis nota, si quam forsitan ratione casualis homicidii sive mortis præfati Petri Hawkins incurristi, vel aliquibus incurrisse videaris, ad omnem et qualemcunque juris effectum dispensamus; teque præfatum Georgium, archiepiscopum Cantuariensem, ac personam tuam ab omnibus et singulis inhabilitatibus, suspensionibus, irregularitatibus, aliisque pœnis, impedimentis, censuris, et coercionibus quibus-

cunque ecclesiasticis sive canonicis, si quas forsitan ratione præmissorum aut eorum alicujus incurristi, aut aliquibus incurrisse videaris, ad omnem et qualemcunque juris effectum liberamus, ac tenore præsentium pro liberato haberi decernimus et pronunciamus: quemque defectum, labem, notam, sive maculam, si quam forsitan ratione præmissorum aut eorum alicujus contraxisti, aut aliquibus contraxisse videaris, penitus abolemus, ac pro abolitis haberi decernimus et pronunciamus; teque etiam præfatum Georgium, archiepiscopum Cantuarien. ex superabundanti et ad majorem cautelam rehabilitamus et restituimus ad omnem et qualemcunque juris effectum. Et ut in susceptis ordinibus et archiepiscopatu prædicto, ac in omnibus et singulis jurisdictionibus, privilegiis, præeminentiis, prærogativis, dignitatibus, atque aliis rebus quibuscunque, aliquo modo ad dictum archiepiscopatum spectantibus et pertinentibus, libere ministrare valeas, concedimus et indulgemus, perinde ac si prædictum casuale homicidium commissum non fuisset; canonibus, legibus, decretis, ordinationibus, et constitutionibus ecclesiasticis quibuscunque contrariis, si quæ sint in ea parte contraria, in aliquo non obstantibus. In cujus rei testimonium sigilla nostra episcopalia hisce præsentibus apponi fecimus. Dat. duodecimo die Decembris, anno Domini millesimo sexcentesimo vicesimo primo.

Teste rege apud Westmon. 24. die Decembris, anno regni regis Jacobi. etc. XIX. et Scotiæ quinquagesimo quinto.

CXXXI.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Geo. Abbot 11.	1621.	Jacob. I. 19.

The king's letter to the archbishop of Cant. and the bishop of Lincoln about a voluntary contribution from the clergy.—Reg. Abbot, II. fol. 195. b.

RIGHT reverend father in God, our very good lord and brother. We have lately received from his majesty certain letters directed unto us the lord archbishop of Cant. and the lord bishop of Lincoln, lord keeper of the great seal, but referring to the rest, whose names are underwritten, the tenor whereof here ensueth:

The king's letter] King James' first parliament had been dissolved on the 7th of June 1614, and another was summoned to meet on the 13th of January 1621. "Being jealous of uncontroled sovereignty he had fallen into a great dislike of parliaments, and for many years had given way to projects and monopolies: and many of his ministers perhaps fearing an inquiry into their own actions might suggest to him that he might better furnish himself by those ways, than by subsidies, usually accompanied with the redress of grievances. Nevertheless he was now minded to call a parliament, conceiving it might be of special use. For he observed the affections of the people to be raised for the recovery of the palatinate; and then concluded that those affections would open their purses to the supply of his wants." (Rushworth, vol. i. p. 20.) In this matter the king was availing himself of an existing impulse, hoping at the same time that events might spring up which would relieve him from the necessity of following it any longer than was convenient to him. He was not unwilling to assist his son-in-law in the recovery of the palatinate; but he was much more anxious to unite his son with the infanta of Spain. He might leave it to be decided by the progress of events, which of these two opposing projects should eventually prosper; but only one of them could be made useful to him in his present difficulties. Supplies were absolutely wanted; and the honour of his

Right reverend fathers in God, right trusty and right well beloved counsellors, we greet you well. What endeavours we have used by treaty, and by all fair and amicable ways, to recover the patrimony of our children in Germany, now for the most part withholden from them by force, is not unknown unto all our loving subjects, since we were pleased to communicate unto them in parliament our whole proceedings in that business; of which treaty our hopes being at the last frustrate, we were enforced to take other resolutions, namely to recover that by the sword, which by other means we see no likelihood to compass. For which purpose we did expect, that our people would in a cause so nearly concerning our children's interest and ours, have cheerfully contributed thereunto, as indeed they did by promise and declaration to the proportion of one subsidy at their last meeting before Christmas: but the same failing to be legally per-

crown and the interests of protestantism, alike involved in the troubles that had taken place in the palatinate, afforded him an excellent opportunity for appealing to the liberality of his subjects. On the 25th of October 1620 letters had been addressed by the members of the privy council to divers earls, viscounts, bishops and barons, and to the lord mayor of London, calling "for a voluntary gift unto his majesty;" and the sums arising therefrom being found insufficient, and the demand being too urgent to wait for the slower movements of the house of commons, the king issued his letter of the 12th of Jan. to the archbishop and the lord keeper Williams, requiring them and their brother bishops to collect contributions from the whole clergy; an expedient for which they had themselves furnished a precedent in the year 1614. See a letter of archbishop Abbot's in the Tanner MSS. vol. lxxiv. p. 57. The archbishop was very desirous that assistance should be given to the king of Bohemia in the recovery of the palatinate, and the public feeling on the subject may be inferred from the following extract of a letter that he had written to Mr. Secretary Nanton. "It is a great honour to the king our master that he hath such a son whose virtues have made him thought fit to be made a king. And methinks I do in this and that of Hungary foresee the work of God, that by piece and piece the kings of the earth, that gave their power unto the beast (all

fected by the wayward divisions of some few, we are constrained in a case of so great necessity to try the dutiful affections of our subjects in another way, as our predecessors have done in former times, by propounding a voluntary contribution unto them; and knowing the faithful and loving service performed unto us by our clergy of this realm at all times upon the like urgent occasion, have thought good to make use thereof at this present, and do therefore require you to give notice thereof to all the bishops, who are not as yet departed from the city of London; and together with them, to write your letters to all the bishops of both provinces, for the speedy collecting, and receiving of the voluntary contributions of the whole clergy, towards the support of this so necessary and justifiable a warlike defence, wherein not only our crown and dignity, but the true religion

the word of God must be fulfilled) shall now tear the whore and make her desolate, as St. John in his Revelation hath foretold. I pray you therefore with all the spirits you have, to put life into this business, and let a return be made into Germany with speed and with comfort; and let it really be prosecuted, that it may appear to the world, that we are awake when God in this sort calleth us." (Cabala, p. 110.) According to bishop Goodman's Memoirs (vol. i. p. 239.) the archbishop had been consulted whether the palsgrave should accept the crown of Bohemia, and had advised "by all means that he should, yet so that he should not acquaint king James beforehand; but when all things were past, then he doubted not but the king would so far assist him, if not to keep Bohemia, yet at least to preserve his own inheritance." The king's application to his parliament having been answered with a petition, remonstrance, and protestation, instead of the wished for subsidies, it was dissolved on the 6th of Jan. 1622, and letters were then addressed by him to the judges, sheriffs, and magistrates of the kingdom, "to try the dutiful affections of his subjects in another way, as his predecessors had done in former times, by propounding unto them a voluntary contribution." (Rushworth, vol. i. p. 60. Lingard, vol. vi. p. 174.) Similar applications had certainly been made by queen Elizabeth, but in most instances under the name of loans, which she appears to have repaid, as we find from proclamations issued by her in 1571 and other years.

also, which you and they teach and profess, is so much interested. And we do further require, that you and the other bishops do likewise move the same to all the schoolmasters, which have license to teach within your or their several diocesses, not doubting of either your care, or their forwardness in this so necessary a service. Given under our signet at our palace of Westm. the 14th day of January in the nineteenth year of our reign of England, France, and Ireland, and of Scotland the five and fiftieth.

Your lordship by these letters may see how far it concerneth his majesty in honour, and the realm in safety, that the patrimony of the king's children should be recovered again by force of war, since it cannot be obtained by treaty. And inasmuch as arms are not maintained but by large expense, and his majesty hath not lately received such supply as otherways was expected, it may well stand with our most bounden duty, that in this time of necessity, we of the clergy should by way of voluntary contribution testify our observance and loyal respect unto so gracious a prince. We therefore, who upon the receipt of these his majesty's letters have met together and duly considered what was most convenient to be done, have resolved, that three shillings and ten pence in the pound is as little as we can possibly offer towards so great an enterprize; yet hoping that such as be of ability will exceed the same. You shall therefore do well by all forcible reason, drawn from the defence of religion and justice, to incite all your clergy, as well within peculiars as otherwise, as also the lecturers and licensed schoolmasters, within your diocese, that with all readiness they do contribute unto this noble action. And whereas there be divers commendataries, dignitaries, prebendaries, and double beneficed men, that have livings in several dioceses, we hold it fit, that for every one of these within your lordship's diocese the contribution be rateable, so that the monies in such sort given, may be brought to

London by the tenth day of March next, to be delivered to the hands of such receivers, as for that purpose shall be appointed. And to the end that true notice may be taken of such as are best disposed to this so good a service, we expect that your lordship send up to the lord archbishop of Cant. the several sums and names of all those who contribute; and lastly your lordship shall do right well also, that inasmuch as the laity are like to be moved for such contribution in the country, wherein many about London already have begun and given good example, that you cause the preachers within your diocese in a grave and discreet fashion to excite the people, that when occasion shall serve, they do extend their liberalities to so Christian and worthy an enterprise: wherein not doubting but your lordship will use all your best, prudent, and most careful endeavours, we leave you to the Almighty. From Lambeth 21. Januarii, MDCXXI. juxta etc.

Your lordship's very loving brethren,

G. Cant.	Tho. Coven. et Lich.
Jo. Lincoln, C.S.	Arthur Bath. et Wellen.
G. London.	Lu. Bangor.
R. Dunelm.	Nic. Elien.
L. Winton.	Theo. Landaven.
Jo. Wigorn.	Will. Meneven.
Jo. Roffen.	Jo. Cestren.

CXXXII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Geo. Abbot 12.	1622.	Jacob. I. 20.

The king's letter to the archbishop of Canterbury concerning preachers and preaching.—Reg. II. Abbot, fol. 199. a.

RIGHT reverend father in God, my very good lord and brother. I have received from the king's most excellent majesty a letter, the tenour whereof here ensueth: Most reverend father in God, right trusty and

The king's letter] The king had long been satisfied, that in order to put an effectual stop to the political measures of the puritans, it was necessary to counteract their doctrinal principles, the supporters of which constituted the principal moral strength of their party. In the year 1616 therefore, he issued his orders to the two universities, requiring, among other regulations, that all persons admitted to degrees should subscribe the three articles of the 36th canon, and that "young students in divinity should be excited to bestow their time in the fathers and councils, schoolmen, histories, and controversies, and not to insist too long upon compendiums and abbreviators." (Wood's Ann. vol. ii. p. 323.) The two universities had of late been nurseries of Calvinistic teachers, and the history of Oxford, from the prominent part which it now began to take in the support of opposite opinions, and from the personal interest and interference which the king exercised in its proceedings, will supply a compendium of the theological history of the period down to 1622, the date of the king's letter respecting preachers. Much offence had been given by the way in which the projected marriage of the prince with the infanta of Spain had been noticed from different pulpits; but the most objectionable case, and one that called for prompt and vigorous measures, was a sermon preached in Oxford on the 14th of April 1622, in which was maintained the dangerous position, that subjects might take up arms against their sovereign in defence of their religion. The king having summoned Knight the preacher into his presence, and having learnt from him that he derived his authority from the commentary of Pareus on the 13th chap. of the Epistle to the Romans, sent his injunctions to the university (April 24, 1622), the

right entirely beloved counsellor, we greet you well. Forasmuch as the abuses and extravagancies of preachers in the pulpit have been in all times repressed in this realm by some act of council or state, with the advice and resolution of grave and learned prelates, insomuch as the very licensing of preachers had the beginning by an order of star-chamber the eighth day of July, in the nineteenth year of king Henry the Eighth, our noble predecessor; and whereas at this present, divers young students by reading of late writers and ungrounded divines, do broach many times unprofitable, unsound, seditious, and dangerous doctrines, to the scandal of this church, and disquieting of the state and present government; we upon humble representations unto us of these

following extract from which shews clearly the origin and the more especial design of his letter to the archbishop: "Our pleasure is that you shall upon this occasion assemble the heads and governors of the several colleges and halls, and put them in remembrance of that, which we have heretofore so seriously recommended to both the universities, concerning the study of divinity; which was, that the students in that profession should apply themselves in the first place to the reading of the scriptures, next the councils and ancient fathers, and then the schoolmen, excluding those neoterics, both Jesuits and puritans, who are known to be meddlers in matters of state and monarchy, that thereby they may be the better enabled only to preach Christ crucified, which ought to be the end of their studies." (Wood's Ann. vol ii. p. 343.) An order of council was also published (May 31.) enlarging upon the same topics, and requiring that all the copies that could be found of Pareus' commentary should be publicly burnt in detestation of his doctrine. General Dict. Art. Pareus. Collier, vol. ii. p. 722. Neal, Purit. vol. i. p. 481. Rushworth, vol. i. p. 64. Heylin's Laud, p. 95. No. CLI.

The letter of the archbishop dated Sept. 4. is published in the Cabala (p. 112) as the production of lord keeper Williams, with these differences, that "abrasæ tabulæ" is printed "a brass tabret," and the fee to be paid to the register at the time of exhibit is stated to be six-pence instead of two-pence. The same differences are also to be found in the MS. copy preserved in the Tanner papers (vol. lxxxii. p. 498.) where the letter is also ascribed to the lord keeper Williams; but it is clear from other readings that it was not taken from the same copy.

inconveniences by yourself, and sundry other grave and reverend prelates of this church, as also of our princely care and zeal for the extirpation of schism and dissension growing from these seeds, and for the settling of a religious and peaceable government both of church and state, do by these our special letters straitly charge and command you, to use all possible care and diligence, that these limitations and cautions, herewith sent unto you, concerning preachers, be duly and strictly from henceforth observed, and put in practice by the several bishops in their several dioceses within your jurisdiction. And to this end, our pleasure is, that you send them forthwith several copies of these directions, to be by them speedily sent and communicated to every parson, vicar, curate, lecturer, and minister in every cathedral or parish church, within their several dioceses; and that you earnestly require them to employ their utmost endeavours in the performance of this so important a business; letting them know, that we have a special eye to their proceeding, and expect a strict account thereof both from you and every of them; and these our letters shall be your sufficient warrant and discharge in this behalf. Given under our signet at our castle at Windsor the 4th day of August, in the twentieth year of our reign of England, France, and Ireland, and of Scotland the six and fiftieth.

By this you see his majesty's princely care, that men should preach Christ crucified, obedience to the higher powers, and honest and Christian conversation of life, but in a regular form; and not that every young man should take unto himself an exorbitant liberty to teach what he listeth, to the offence of his majesty, and to the disturbance and disquiet of the church, and commonwealth. I can give unto your lordship no better directions for the pursuance hereof, than are prescribed to you in his majesty's letters, and the schedule herewith sent unto you; whereof I pray you to be very careful, since it is

the princely pleasure of his highness to require an account both of you and me for the same. And so not doubting, but by your register or otherwise you will cause these instructions to be communicated to your clergy, I leave you to the Almighty, and remain

Your lordship's loving brother,

Croydon, August the 12th, MDCXXII.

G. CANT.

Directions concerning preachers.

I. That no preacher under the degree and calling of a bishop, or dean of a cathedral or collegiate church, and they upon the king's days and set festivals, do take occasion by the expounding of any text of scripture whatsoever, to fall into any set discourse, or common place (otherwise than by opening the coherence and division of his text) which shall not be comprehended and warranted in essence, substance, effect, or natural inference within some one of the articles of religion set forth MDLXII. or in some of the homilies set forth by authority in the church of England, not only for a help of the nonpreaching, but withal for a pattern and a boundary, as it were, for the preaching ministers; and for their further instruction for the performance thereof, that they forthwith read over, and peruse diligently the said book of articles, and the two books of homilies.

II. That no parson, vicar, curate, or lecturer shall preach any sermon or collation hereafter upon Sundays and holidays in the afternoon, in any cathedral, or parish church throughout this kingdom, but upon some part of the Catechism, or some text taken out of the Creed, Ten Commandments, or the Lord's Prayer, (funeral sermons only excepted,) and that those preachers be most encouraged and approved of, who spend the afternoon's exercise in the examining of children in their Catechism,

and in the expounding of the several points and heads of the Catechism, which is the most ancient and laudable custom of teaching in the church of England.

III. That no preacher of what title soever, under the degree of a bishop, or dean at the least, do from hence-forth presume to preach in any popular auditory the deep points of predestination, election, reprobation, or of the universality, efficacy, resistibility, or irresistibility of God's grace; but leave those themes to be handled by learned men, and that moderately and modestly by way of use and application, rather than by way of positive doctrine, as being fitter for the schools and universities, than for simple auditories.

IV. That no preacher, of what title or denomination soever, shall presume from henceforth in any auditory within this kingdom to declare, limit, or bound out, by way of positive doctrine, in any lecture or sermon, the power, prerogative, jurisdiction, authority, or duty of sovereign princes, or otherwise meddle with these matters of state, and the references betwixt princes and the people, than as they are instructed and presidented in the homily of obedience, and in the rest of the homilies and articles of religion, set forth (as before is mentioned) by public authority; but rather confine themselves wholly to those two heads of faith and good life, which are all the subject of the ancient sermons and homilies.

V. That no preacher, of what title or denomination soever, shall causelessly, and without invitation from the text, fall into bitter invectives, and indecent railing speeches against the persons of either papists or puritans; but modestly and gravely (when they are occasioned thereunto by the text of scripture) free both the doctrine and discipline of the church of England from the aspersions of either adversary, especially when the auditory is suspected to be tainted with the one or the other infection.

VI. Lastly, That the archbishops and bishops of the kingdom, whom his majesty hath good cause to blame for this former remissness, be more wary and choice in licensing of preachers, and revoke all grants made to any chancellor, official, or commissary to pass licenses in this kingdom; and that all the lecturers throughout the kingdom (a new body severed from the ancient clergy of England, as being neither parsons, vicars, or curates) be licensed henceforth in the court of Faculties, only upon recommendation of the party from the bishop of the diocese under his hand and seal, with a "fiat" from the lord archbishop of Cant. and a confirmation under the great seal of England; and that such as transgress any one of these directions, be suspended by the bishop of the diocese, or in his default, by the lord archbishop of that province "ab officio et beneficio" for a year and a day, until his majesty by the advice of the next convocation shall prescribe some further punishment.

The archbishop of Canterbury's letter explaining the former directions.—Reg. II. Abbot, fol. 200. a.

MY very good lord. I doubt not but before this time you have received from me the directions of his most excellent majesty, concerning preaching and preachers; which are so graciously set down, that no godly or discreet man can otherwise than acknowledge, that they do much tend to edification, if he do not take them up upon report, but do punctually consider the tenour of the words, as they lie, and do not give an ill construction to that, which may receive a fair interpretation: notwithstanding, because some few churchmen, and many of the people have sinisterly conceived, as we here find, that these instructions do tend to the restraint of the exercise of preaching, and do in some sort abate the number of sermons, and so consequently by degrees do make a breach to ignorance and superstition, his majesty in his

princely wisdom hath thought fit, that I should advertise your lordship of the grave and weighty reasons, which induced his highness to prescribe that which is done. You are therefore to know, that his majesty, being much troubled and grieved at the heart, to hear every day of so much defection from our religion, both to popery and anabaptism, or other points of separation, in some parts of this kingdom; and considering with much admiration what might be the cause thereof, especially in the reign of such a king, who doth so constantly profess himself an open adversary to the superstition of the one, and madness of the other; his princely wisdom could fall upon no one greater probability, than the lightness, affectedness, and unprofitableness of that kind of preaching which hath been of late years too much taken up in court, university, city, and country. The usual scope of very many preachers[a] is noted to be a soaring up in points of divinity, too deep for the capacity of the people, or a mustering up of much reading, or a displaying of their own wit, or an ignorant meddling with civil matters, as well in the private of several parishes and corporations, as in the public of the kingdom, or a venting of their own distastes, or a smoothing up of those idle fancies, which in this blessed time of a long peace do boil in the brains of unadvised people; or lastly, a rude or undecent railing, not against the doctrines, (which when the text shall occasion the same, is not only approved but much commended by his royal majesty,) but against the persons

[a] *The usual scope of very many preachers*] Lord Bacon had referred to these practices some years previously in the following manner: "A point of great inconvenience and peril is to entitle the people to hear controversies and all kinds of doctrine. They say no part of the counsel of God is to be suppressed, nor the people defrauded; so as the difference which the apostle makes between milk and strong meat is confounded; and his precept that the weak be not admitted unto questions and controversies, taketh no place. But most of all is to be

of papists and puritans. Now the people bred up with this kind of teaching, and never instructed in the Catechism, and fundamental grounds of religion, are for all this airy nourishment no better than "abrasæ tabulæ," new table books, ready to be filled up with the manuals and catechisms of the popish priests, or the papers and pamphlets of Anabaptists, Brownists, and Puritans. His majesty therefore calling to mind the saying of Tertullian, "Id verum quod primum," and remembering with what doctrine the church of England in the first and most happy reformation did drive out the one, and keep out the other from poisoning and infecting the people of this kingdom, doth find that the whole scope of this doctrine is contained in the articles of religion, the two books of homilies, the lesser and the greater catechism, which his majesty doth therefore recommend again in these directions, as the themes and proper subjects of all sound and edifying preaching; and so far are these directions from abating, that his majesty doth expect at our hands that it should increase, the number of sermons, by renewing upon every Sunday in the afternoon, in all parish churches throughout the kingdom, that primitive and most profitable exposition [b] of the Catechism, wherewith the people, yea very children may be timely seasoned and instructed in all the heads of Christian religion, the which kind of preaching (to our amendment be it spoken) is more diligently observed in all the reformed churches of Europe, than of late it hath been here in England. I find his

suspected, as a seed of further inconvenience, their manner of handling the scriptures, for whilst they seek express scripture for every thing, and that they have, in a manner, deprived themselves and the church of a special help and support by embasing the authority of the fathers, they resort to naked examples, conceited inferences, and forced allusions, such as do mine into all certainty of religion." Works, vol. ii. p. 521.

[b] *primitive and most profitable exposition*] Comp. Nos. CIX. CLV.

majesty much moved with this neglect, and resolved (if we that are his bishops do not see a reformation thereof, which I trust we shall) to recommend it to the care of the civil magistrate; so far is his highness from giving the least discouragement to solid preaching, or discreet or religious preachers. To all these I am to add his majesty's princely pleasure that both the former directions and these reasons of the same be fairly written in every register's office, to the end that every preacher, of what denomination soever, may, if he be so pleased, take out copies of either of them with his own hand "gratis," paying nothing in the name of fee or expedition, but if he do use the pains of the register or his clerks, then to pay some moderate fee to be pronounced in open court by the chancellors and commissaries of the place, taking the direction and approbation of my lords the bishops. Lastly, that from henceforward a course may be taken that every parson, vicar, curate, or lecturer do make exhibit of these his majesty's directions and the reason for the same, at the ensuing visitation of the bishops and archdeacons, paying to the register by way of fee but twopence only at the time of exhibit. And so wishing, but withal in his majesty's name requiring your lordship to have a special and extraordinary care of the premises, I leave you to the Almighty. From Croydon, September 4. MDCXXII.

Your lordship's very loving brother,

G. Cant.

CXXXIII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Geo. Abbot 15.	1625.	Carol. I. 1.

The king's letter to the archbishop of Canterbury touching recusants.—Reg. II. Abbot. fol. 211. a.

RIGHT reverend father in God, my very good lord. I have received from the king's majesty a letter, the tenour whereof here followeth: Most reverend father in God, right trusty and well beloved counsellor, we greet you well. Whereas upon sundry weighty considerations us specially moving, we lately awarded our commission under our great seal of England, for the due and effectual putting in execution of the several laws and statutes remaining in force against popish recusants, and did cause our said commission to be publicly read in our several courts holden the last term at Reading, that all our loving subjects might take notice of our princely care, and special charge for the advancement of true religion, and suppressing of superstition and popery; we have now thought fit, out of the same care to add a further charge

The king's letter] The most important act of the first parliament that assembled after the accession of king Charles, was to present to him a petition concerning religion, setting forth "the dangerous consequences of the increase of popery in the land, and what they conceived to be the principal causes thereof, and what the remedies." His majesty having answered their several points successively, informed them "that as he took well their minding him of the care of religion, so he would have done and granted the same things though they had never petitioned him." The sequel however did not correspond with this amicable beginning; and the commons having determined to withhold their supplies until they had obtained a redress of grievances, the parliament was dissolved on the 12th of August 1625. But being induced by

to you, and all others having ecclesiastical jurisdiction under us, that no good means be neglected on your part for discovering, finding out, and apprehending of Jesuits, seminary priests, and other seducers of our children to the Romish religion, or for repressing popish recusants and delinquents of that sort, against whom you are to proceed by excommunication and other censures of the church, not omitting any other due and lawful means to bring them forth to public justice. And as our pleasure is, that due and strict proceeding be used against such as are open and profest papists, of whom our temporal laws will more easily take hold; so we do recommend to the vigilant care of you and the rest of our clergy the repressing of those, who being ill affected to the true religion here established, do keep more close and secret their ill and dangerous affections that way, and as well by their example, as by secret and underhand sleights and means, do much encourage and increase the growth of popery and superstition in sundry parts of this kingdom: and therefore we not only require, that none of them may have any manner of cover, protection, countenance, or connivance from you, or any of the rest, as you tender our royal commandment in that behalf; but that all possible diligence be used as well to unmask the false

many urgent considerations to summon another to meet in the ensuing February, Charles took measures in the mean time to satisfy the wishes of his subjects respecting popery. "The plague still continuing in London and Westminster and the places near adjoining, the king had adjourned a part of Michaelmas term from the city of Westminster, as also the receipt of the revenue from Richmond, to the town of Reading. In which term a commission issued forth under the great seal for executing the laws against recusants, according to the petition of the late parliament, which was read in all the courts of judicature at Reading." Rushworth, vol. i. p. 201. Heylin's Laud, p. 140. Collier, vol. ii. p. 735. Neal, Purit. vol. i. p. 500.

It is well known from his subsequent history that king Charles was sincerely attached to the doctrine and discipline of his own church;

shadows and pretences of those that are obstinate, as by all good means to reclaim those, who may possibly be won to conformity: letting all men know, that we cannot think well of any, that having place and authority in the church, do permit such persons to pass with impunity, much less if they give any countenance to the emboldening of them and their adherents. And because we understand, that the number of recusants is much more increased in some dioceses, than in others, we shall impute the same to the negligence of those bishops, who have the same means and power of restraint, unless they can shew us some particular reason, by which that contagion is become greater under them than others, and not by their defaults: and we do hereby require you to send transcripts of these our letters to all the bishops and ordinaries within your province, for the present execution of this our general direction, and also to transmit the same our letters to the lord archbishop of York, that he may take the like course within his charge and jurisdiction. Given under our signet at our castle of Windsor the 15th day of December, in the first year of our reign.

By this you see the royal and Christian care which his majesty hath for the advancing of true religion within this kingdom, and the suppressing of the contrary. I

but it is not surprising that his subjects at the beginning of his reign should have had a different impression, derived from the strange duplicity of his father, and from the negociations that had taken place respecting his own marriage at the two popish courts of Spain and France. Charles himself in writing to the pope in the year 1623, on the subject of the Spanish marriage, had expressed himself in the following manner: "It is most certain I would never so earnestly procure to tie myself with that strait band of marriage with a person whose religion I never could endure. Wherefore let your holiness be persuaded that my mind now is, and always shall be, far from plotting any thing contrary to the Roman catholic religion. Tanner MSS. vol. lxxxii. p. 349.

doubt not but your lordship will take into serious consideration, and by your officers and ministers give execution thereunto, so that presentments be duly made, and excommunications against the obstinate be issued forth, as some few years past was accustomed; and his majesty doth expect, that, to shew your diligence and zeal herein, your lordship will soon after Easter return unto me the list and number of all recusant papists within your diocese, which without fail I do expect. And so I leave you to the Almighty, and remain

Your lordship's loving brother,

G. CANT.

CXXXIV.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
GEO. ABBOT 16.	1626.	CAROL. I. 2.

The king's letter to the archbishop of Canterbury to excite the people to unity, and to contribute towards the support of the king of Denmark.—Reg. II. Abbot, fol. 218. a.

MY very good lord. I have received from the king's majesty both pious and prudent instructions neces-

The king's letter] This able paper was drawn up by Laud, then bishop of Bath and Wells, at the command of the king, and was occasioned by the following circumstances. The commons had introduced a bill for granting three subsidies and three fifteenths, but refused to pass it, until the king should have listened to their petitions and remonstrances. It continued therefore still imperfect on the 15th day of June 1626, when the king felt himself compelled by the disobedience of the commons to dissolve the parliament; but as it was already adopted in principle, his majesty was advised that he had good grounds for requiring the payment of those subsidies from his subjects by way of loan, till the measure should be completed in the ensuing parliament. This advice was too readily adopted, and methods, now become familiar to the court, were taken for carrying it into effect. The king was per-

sary for this time, the particulars whereof do here follow: Most reverend father in God, right trusty and right well beloved counsellor, we greet you well. We have observed that the church and the state are so near united and knit together, that though they may seem two bodies, yet indeed in some relation they may be accounted but as one; inasmuch as they both are made up of the same men, which are differenced only in relation to spiritual or civil ends: this nearness makes the church call in the help of the state to succour and support her, whensoever she is pressed beyond herself; and the same nearness makes the state call in for the service of the church, both to teach that duty, which her members know not, and to exhort them to it, and encourage them in that duty, which they know. It is not long since we ordered the state to serve the church, and by a timely proclamation settled the peace of it; and now the state looks for the like assistance from the church, that she and all her ministers may serve God and us, by preaching peace and unity at home, that it may be the better able to resist foreign force, uniting and multiplying against it. And to the end that they, to whom we have committed the government of the church under us, may be the better

suaded, as he stated in his Declaration when he dissolved the parliament, that he had the strongest claims in reason and good faith on the ready cooperation of the commons; but all doubt or hesitation as to his own proceedings was completely removed, when he received tidings of the defeat sustained by the king of Bohemia and his ally the king of Denmark in the disastrous battle of the 27th of August. It was during the collection of this loan, and for the purpose of promoting it, that Dr. Sibthorp preached his memorable sermon on apostolical obedience, and Dr. Manwaring his equally memorable discourses entitled Religion and Allegiance, which led to the suspension of archbishop Abbot, to the exasperation of the ensuing house of commons, and to an increased and fixed hostility between the sovereign and his parliaments. Rushworth, vol. i. p. 421. Heylin's Laud, p. 166. Collier, vol. ii. p. 739. Hallam, vol. i. p. 412.

able to dispose of the present occasions, we have, with the advice of the council, thought fit to send unto you these instructions following, to be sent by you to the bishops of your province, and such others, whom it may concern, and by them and their officers directed to all the ministers throughout the several dioceses, that according to these punctually they may instruct and exhort the people to serve God and us, and labour by their prayers to divert the dangers which hang over us. The danger in which we are at this time is great; it is increased by the late blow given our good uncle the king of Denmark, who is the chief person in those parts that opposed the spreading forces of Spain; if he cannot subsist, there is little or nothing left to hinder the house of Austria from being lord and master of Germany; and that is a large and mighty territory, as should it be gotten would make an open way for Spain to do what they please in all the west parts of Christendom. For besides the great strength which Germany, once possessed, would bring to them, which are too strong already, you are to consider first, how it will enable them by land, in that it will join all, or the most parts of the Spaniard's now distracted territories, and be a means for him safely and speedily to draw down forces against any other kingdom, that shall stand in his way; nor can it be thought the Low Countries can hold out longer against him, if he once become lord of the upper parts. And secondly, you are to weigh how it will advantage him by sea, and make him strong against us in our particular, which is of easy apprehension to all men: and besides, if he once get Germany, he will be able, though he had no gold from India, to supply the necessity of those wars, and to hinder all trade and traffic of the greatest staple commodities of this kingdom, cloth and wool, and so make them of little or no value. You are to know therefore, that to prevent this is the present care of the king and the state, and

there is no probable way left, but by sending forces and other supplies to the said king of Denmark our dear uncle, to enable him to keep the field, that our enemies be not masters of all on the sudden. You are further to take notice, how that we and this whole state stand bound in honour and conscience to supply the present necessity of the king of Denmark; for this quarrel is more nearly ours, the recovery of the ancient inheritance of our dear sister and her children. The king of Denmark stands not so near in blood unto her as we do, yet for her and our sakes that brave and valiant king hath adventured into the field, and in that engagement hath not only hazarded his person, but as things go now, it may turn to some danger to his own kingdom and posterity, should he not receive aid and succour from us without delay; which should it happen, as God forbid, will be one of the greatest dishonours, that ever this kingdom was stained withal. Nor is danger and dishonour all the mischief that is like to follow this disaster; for if he be not presently relieved, the cause of religion is not only likely to suffer by it in some one part, as it hath already in a fearful manner in the Palatinate, but in all places, where it hath gotten any footing; so that if we supply not presently our allies and confederates in this case, it is likely to prove the extirpation of true religion, and the replanting of Romish superstition in all the neighbouring parts of Christendom; and the colonies of this state shall suffer in all places as the betrayer of that religion elsewhere, which it professeth and honoureth at home; which will be an imputation never to be washed off; and God forbid this state should suffer under it. Neither may you forget rightly to inform the people committed to your charge, that this war which now grows full of danger, was not entered upon rashly and without advice, but you are to acquaint them, that all former treaties by a peaceable way were in the latter end

of our dear father of ever blessed memory dissolved as fruitless and unfit longer to be held on foot, and this by the counsel of both houses of parliament then sitting; so those two great and honourable bodies of the peers and people represented in parliament, led on this counsel and course to a war with Spain; to effect this, they desired our aid and assistance, and used us to work our said dear father to entertain this course. This upon their persuasions and promises of all assistance and supply we readily undertook and effected, and cannot now be left in that business, but with the sin and shame of all men. Sin, because aid and supply for the defence of the kingdom, and the like affairs of the state, especially such as are advised by parliamentary counsel, are due to the king from his people by all law both of God and men; and shame, if they forsake the king, while he pursues their own counsel just and honourable, and which could not under God but have been successful, if he had been followed and supplied in time, as we desired and laboured for. One thing there is, which proves a great hinderance of this state, and not continued among the people without great offence against God, detriment both to church and state, and our great disservice in this and all other business; it is the breach of unity, which is grown too great and common among all sorts of men; the danger of this goes far; for in all states it hath made way for enemies to enter. We have by all means endeavoured union, and require of you to preach it, and charity, the mother of it, frequently in the ears of the people. We know their loyal hearts, and therefore wonder the more what should cause distracted affections. If you call upon them, which is your duty, we doubt not but that God will bless them with that love to himself, to his church, and their own preservation, which alone will be able to bind up the scatterings of divided affections into strength. To this end you are to lay before

them what miseries home-divisions have brought upon this and many other kingdoms, and to exhort all men to embrace it in time; the danger itself, besides all other Christian and prudent motives, is offence enough, where it is duly considered, to make men join in all amity against a common, a great, and a growing enemy, and to do it in time, before any secret and cunning working of his may use one part in a division, to weaken the other: and in the last place, but first and last and all times to be insisted upon, you are to call upon God yourselves, and to incite the people to join with you in humble and hearty prayers unto God, that he will be pleased now after long afflictions of his dear people and children, to look in mercy both upon them and us, and in particular for the safety of the king of Denmark, and that army which is left him, that God would bless and prosper him against his and our enemies. Thus you are to strengthen the hearts and the hands of our loyal subjects and people in and upon God. And whereas the greatest confidence men have in God, ariseth not only from his promises, but from their experience likewise of his goodness; you must not fail often to recall to the memory of the people with thankfulness the late great experience we have had of his goodness towards us. For the three great and usual judgments, which he darts down upon disobedient and unthankful people, are pestilence, famine, and the sword; the pestilence did never rage more in this kingdom than of late; and God was graciously pleased in mercy to hear the prayers which were made unto him, and the ceasing of the judgment was little less than a miracle. The famine threatened us this present year, and it must have followed, had God rained down his anger a little longer upon the fruits of the earth; but upon our prayers he stayed that judgment, and sent us a most blessed season and a most plentiful harvest. The sword is the thing which we are now to look to, and you must call the

people to their prayers again against the enemy, that God will be pleased to send the like deliverance from this judgment also, that in the same mercy he will vouchsafe to strengthen the hands of his people, that he will sharpen their sword, but dull and turn the edge of that which is in our enemies' hands; that so while some fight, others may pray for the blessing. And you are to be careful, that you fail not to direct and hearten our loving people in this and all other necessary services both of God, his church, and us, that we may have the comfort of our people's service, the state safety, the church religion, and the people the enjoying of all such blessings as follow these: and we end with doubling of this care upon you and all under you in their several places. Given at our palace at Westm. in the second year of our reign, the 21st of September MDCXXVI.

The care which your lordship is to use in this behalf, is, to see them made known in the worthy preachers and ministers in your diocese, and so far as your lordship may, in your own person to put these things in execution, and to call upon the clergy, which is under you, in their preaching and private conferences, to stir up all sort of people to express their zeal to God, their duty to the king, and their love unto their country, and one to another; that all good and Christian courses may be taken for the preservation of the true religion both in this land and throughout all Christendom: which not doubting but your lordship with all diligence and speed will see effected, I leave you to the Almighty, and remain

Your lordship's loving brother,

G. Cant.

Croydon, Sept. 26,
MDCXXVI.

CXXXV.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Geo. Abbot 17.	1627.	Carol. I. 3.

A commission to sequester archbishop Abbot from all his ecclesiastical offices and jurisdiction.—Rushworth's Coll. vol. i. p. 435. Frankland's Annal. p. 211.

CHARLES, by the grace of God king of England, Scotland, France, and Ireland, defender of the faith, etc. to the right reverend father in God, George, lord bishop of London, and to the right reverend father in God, our trusty and well beloved counsellor, Richard, lord bishop of Durham, and to the right reverend father in God, John, lord bishop of Rochester, and John, lord bishop of Oxford, to the right reverend father in God, our right trusty and well beloved counsellor, William, lord bishop of Bath and Wells, greeting.

A commission to sequester] The two opposite principles of church government, affecting also in their inevitable consequences the government of the state, had previously been confined to distinct and respective periods, but were now brought into direct conflict. They were represented in the persons of the two distinguished prelates, Abbot and Laud, who had from an early period been personally opposed to each other, and were now placed in situations of great and rival eminence, the one filling the highest station in the church, and the other enjoying the unbounded confidence of the sovereign. And the same event which had recently led to the advancement of the one, was now by a different train of consequences occasioning the depression of the other. A sermon preached by Dr. Sibthorp at Northampton, in favour of the measures which were then adopted by the court for the collection of their loan (see No. CXXXIV.), was sent to the archbishop with his majesty's command that he should give it his license to be printed. The archbishop refused, alleging by way of excuse several passages of the sermon which he considered false in fact, and

Whereas George, now archbishop of Canterbury, in the right of the archbishopric, hath several and distinct archiepiscopal, episcopal, and other spiritual and ecclesiastical powers and jurisdictions, to be exercised in the government and discipline of the church within the province of Canterbury, and in the administration of justice in causes ecclesiastical within that province, which are partly executed by himself in his own person, and partly and more generally by several persons nominated and authorized by him, being learned in the ecclesiastical laws of this realm, in those several places, whereunto they are deputed and appointed by the said archbishop; which several places, as we are informed, they severally hold by several grants for their several lives; as namely, sir Henry Martin, knt. hath and holdeth by the grants of the said archbishop the offices and places of the dean of the Arches, and judge, or master of the Prerogative court, for the natural life of the said sir Henry Martin.

Sir Charles Cæsar, knt. hath and holdeth by grants of

dangerous in principle, as regarded the liberty of the subject. This refusal filled up the measure of his transgressions. The king appointed a commission to sequester the archbishop, acting on a principle which queen Elizabeth announced to her bishops in the parliament of 1584, and which appears to have been generally admitted in those times, that bishops could be deposed by the crown, not merely for wrong doing in themselves, but also for not amending what was wrong in others. (D'Ewes' Journal, 328.) But the archbishop was restored, and graciously received at court before the end of the same year, and a new parliament was summoned to meet on the 17th of March ensuing. He wrote a narrative of the transaction, that may be seen in Rushw. vol. i. p. 438. Comp. Heylin's Laud, p. 195. Collier, vol. ii. p. 740. Biog. Brit. art. Abbot. Hallam, vol. i. p. 450. Lingard, vol. vi. p. 188.

Lord Clarendon's opinion of the archbishop is well known, and very unfavourable. (Hist. vol. i. p. 134.) An opposite description of his character, as drawn by Mr. Speaker Onslow, may be seen in Chalmers' Biog. Dict. art. Abbot. Others are given in the Biog. Brit. in Collier, vol. ii. p. 757. Wood's Ath. Ox. vol. ii. p. 561. Neal, Purit. vol. i. p. 556. Heylin's Laud, p. 242.

the said archbishop the places or offices of the judge of the Audience, and master of the Faculties, for the term of the natural life of the said sir Charles Cæsar.

Sir Thomas Ridley, knt. hath and holdeth by the grant of the said archbishop the place or office of vicar general to the said archbishop.

And Nathaniel Brent, doctor of the laws, hath and holdeth by grant of the said archbishop the office or place of commissary to the said archbishop, as of his proper and peculiar diocese of Canterbury.

And likewise the several registers of the Arches, Prerogative, Audience, Faculties, and of the vicar general and the commissary of Cant. hold their places by grants from the said archbishop respectively.

Whereas the said archbishop in some or all of these several places and jurisdictions, doth or may sometimes assume unto his personal and proper judicature, order, or direction, some particular causes, actions, or cases at his pleasure; and forasmuch as the said archbishop cannot at this present, in his own person, attend the services, which are otherwise proper for his cognizance and jurisdiction, and which as archbishop of Cant. he might and ought in his own person to have performed and executed in causes and matters ecclesiastical, in the proper function of archbishop of that province; we therefore, of our regal power, and of our princely care and providence, that nothing shall be defective in the order, discipline, government, or right of the church, have thought fit by the service of some other learned and reverend bishops, to be named by us, to supply those things which the said archbishop ought or might in the cases aforesaid to have done, but for this present cannot perform the same.

Know ye therefore, that we reposing special trust and confidence in your approved wisdoms, learning, and integrity, have nominated, authorized, and appointed, and do by these presents nominate, authorize, and appoint you

the said George, lord bishop of London, Richard, lord bishop of Durham, John, lord bishop of Rochester, John, lord bishop of Oxford, and William, lord bishop of Bath and Wells, or any four, three, or two of you, to do, execute, and perform all and every those acts, matters, and things, any way touching or concerning the power, jurisdiction, or authority of the archbishop of Cant. in causes or matters ecclesiastical, as amply, fully, and effectually, to all intents and purposes, as the said archbishop himself might have done.

And we do hereby command you and every of you, to attend, perform, and execute this our royal pleasure, in and touching the premises, until we shall declare our will and pleasure to the contrary.

And we do further hereby will and command the said archbishop of Canterbury, quietly and without interruption to permit and suffer you the said George, bishop of London, Richard, bishop of Durham, John, bishop of Rochester, John, bishop of Oxford, and William, bishop of Bath and Wells, any four, three, or two of you, to execute and perform this our commission, according to our royal pleasure thereby signified.

And we do further will and command all, and every other person and persons, whom it may any way concern, in their several places or offices, to be attendant, observant, and obedient to you, and every one of you, in the execution and performance of this our royal will and command, as they and every of them will answer the contrary at their utmost perils.

Nevertheless we do hereby declare our royal pleasure to be, that the said sir Henry Martin, sir Charles Cæsar, sir Thomas Ridley, and Nathaniel Brent, in their several offices and places aforesaid, and all other registers, officers, and ministers in the several courts, offices, and jurisdictions appertaining to the said archbishop, shall quietly and without interruption hold, use, occupy, and enjoy their

said offices and places, which they now hold by the grant of the said archbishop, or any other former archbishop of Cant. in such manner and form, and with those benefits, privileges, powers, and authorities, which they now have, hold, and enjoy therein, or thereout, severally and respectively, they and every of them, in their several places, being attendant and obedient unto you, the said George, bishop of London, Richard, bishop of Durham, John, bishop of Rochester, John, bishop of Oxford, and William, bishop of Bath and Wells, or to any four, three, or two of you, in all things, according to the tenour of this our commission, as they should or ought to have been to the said archbishop himself, if this commission had not been had or made. In witness whereof, we have caused these our letters to be made patent. Witness ourself at Westminster the ninth day of October, in the third year of our reign.

Per ipsum regem,

EDMONDS.

CXXXVI.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
GEO. ABBOT 17.	1627.	CAROL. I. 3.

His majesty's declaration.

BEING by God's ordinance, according to our just title, defender of the faith, and supreme governor of the church within these our dominions, we hold it most agreeable to this our kingly office, and our own religious

His majesty's declaration] This declaration is supposed by Dr. Burn (Eccl. Law, vol. i. p. 99), by Dr. Blackburne (Confessional, p. 125), and others, to have been published in the first instance by king James I.; but it has been satisfactorily shewn that it was first issued in the year

zeal, to conserve and maintain the church committed to our charge in unity of true religion, and in the bond of peace; and not to suffer unnecessary disputations, altercations, or questions to be raised, which may nourish faction both in the church and commonwealth. We have therefore upon mature deliberation, and with the advice of so many of our bishops, as might conveniently be called together, thought fit to make this declaration following: That the articles of the church of England, which have been allowed and authorized heretofore, and which our clergy generally have subscribed unto, do contain the true doctrine of the church of England agreeable

1628; and it may be inferred from the proceedings of the house of commons that it appeared during the interval between the prorogation of the 26th of June and the reassembling of the parliament on the following 20th of January. Dr. Burn copied his mistake from Gibson's Codex, in which it appears to have originated; and Dr. Blackburne assumed it on grounds which are altogether untenable; as has been shewn by Gloc. Ridley in his "Letters to the Author of the Confessional." 3d Lett. Postscr. p. 172.

The controversies of earlier origin, as well as those that were created by the recent synod of Dort, were revived and exasperated by the strong measures employed in the collection of the loan, and by the prominent part that was taken in its favour by many of the established clergy. It was therefore thought advisable to republish the Thirty-nine Articles, and to require all persons to abstain from all curious disputes and speculations; but the inevitable consequence was to condemn the Calvinistic interpretation which had hitherto prevailed. It was a contest in which one party was admitted to be the stronger of the two, but both were equally silenced. The declaration therefore that was issued by the king, and was prefixed to the new edition of the articles, was pronounced by the puritans to be Arminian and popish. The effect of it certainly was to repress the proceedings of the Calvinists; as was shewn in the case of bishop Davenant, who was called before the council in March 1630, and rebuked for a sermon he had preached on the subject of the seventeenth article, not because he had inculcated any strange or erroneous doctrine, but solely because he had been disobedient to the royal mandate. (Two letters of bp. Davenant, in the Tanner MSS. vol. ccxc p. 89.)

The parliament had been prorogued in June immediately after the

to God's word; which we do therefore ratify and confirm[c], requiring all our loving subjects to continue in the uniform profession thereof, and prohibiting the least difference from the said articles; which to that end we command to be new printed, and this our declaration to be published therewith.

That we are supreme governor of the church of England; and that if any difference arise about the external policy, concerning the injunctions, canons, or other constitutions whatsoever thereto belonging, the clergy in their convocation is to order and settle them, having first obtained leave under our broad seal so to do; and we

subsidies had been granted, which the king had purchased from the commons by acceding to the petition of rights; but one of the first acts of the lower house after their reassembling in January 1629, was to protest against the declaration in the following manner: "We the commons in parliament assembled do claim, protest, and avow for truth, the sense of the articles of religion, (which were established by parliament in the 13th year of our late queen Elizabeth,) which by the public act of the church of England, and by the general and current expositions of the writers of our church has been delivered unto us. And we reject the sense of the Jesuits and Arminians and all others wherein they differ from us."

Bishop Laud was accused at his trial of having interpolated this edition of the articles by inserting a sentence of his own, at the beginning of the 20th article, respecting the authority of the church. There was some apparent foundation for the charge, inasmuch as the passage was not to be found in either of the two MSS. copies signed by the members of the convocation, nor yet in some of the most important of the printed editions. But it certainly existed in others, especially in the first Latin edition printed by royal authority; and it was probably introduced by the queen after the articles had been approved by the convocation of 1562. We may admit however that we are indebted to bishop Laud for the publicity and confirmation that the passage has subsequently obtained. Rushw. vol. i. Collier, vol. ii. p. 746. Neal, Purit. vol. i. p. 519. Lamb's Articles, p. 35. Heylin's Laud, p. 188. Canterb. Doom, p. 163. Lingard, vol. vi. p. 288. Synodalia, vol. i. p. 39.

[c] *which we do therefore ratify and confirm*] It was the constant maxim of queen Elizabeth, derived not so much from the statute of supremacy (1 Eliz. c. i.) as from the inseparable rights and prerogatives of the

approving their said ordinances and constitutions, provided that none be made contrary to the laws and customs of the land.

That out of our princely care, that the churchmen may do the work which is proper unto them, the bishops and clergy from time to time in convocation, upon their humble desire shall have license under our broad seal to deliberate of, and to do all such things, as being made plain by them, and assented unto by us, shall concern the settled continuance of the doctrine and discipline of the church of England now established; from which we will not endure any varying, or departing in the least degree.

That for the present, though some differences have been ill raised, yet we take comfort in this, that all

crown, that she might establish or repeal canons, and might ordain or abolish any religious rite or ceremony; and that in so doing she might call in the aid of her council, of a commission of divines, of a convocation or a parliament, as she judged most expedient. In the case of the Articles she considered their authority to rest upon her ratification of them after they had been prepared by the synod of the clergy for her examination and approval. This doctrine was adopted by archbishops Whitgift and Bancroft, and was sanctioned by solemn decisions from the highest legal authorities. It was also asserted by king James I. who declared in his first proclamation (No. CXVI.) that he would "proceed according to the laws and customs of this realm by advice of his council, or in his high court of parliament, or by convocation of his clergy, as he should find reason to lead him," and afterwards commanded alterations to be made in the book of Common Prayer without the authority of parliament. The proper ratification of articles on the part of the crown seems also from this declaration to have been maintained by king Charles I. and his advisers; but it may be inferred from the passage, in which he declares his supremacy as governor of the church, that he limited his powers more narrowly than his predecessors had done, and that he allowed the necessity of calling in the aid of the clergy in their convocation, not only in deciding points of doctrine, but also in case of difference arising on matters of external policy. This change was doubtless owing to the suggestions of Laud, and to the influence, which the church had obtained in the royal counsels.

clergymen within our realm have always most willingly subscribed to the articles established; which is an argument to us, that they all agree in the true usual literal meaning of the said articles, and that even in those curious points, in which the present differences lie, men of all sorts take the articles of the church of England to be for them; which is an argument again that none of them intend any desertion of the articles established.

That therefore in these both curious and unhappy differences, which have for so many hundred years, in different times and places, exercised the church of Christ, we will that all further curious search be laid aside, and these disputes shut up in God's promises, as they be generally set forth to us in the holy scriptures, and the general meaning of the articles of the church of England according to them. And that no man hereafter shall either print or preach to draw the article aside any way, but shall submit to it in the plain and full meaning thereof; and shall not put his own sense or comment to be the meaning of the article, but shall take it in the literal and grammatical sense.

That if any public reader in either of our universities, or any head or master of a college, or any other person respectively in either of them shall affix any new sense to any article, or shall publicly read, determine, or hold any public disputation, or suffer any such to be held either way in either of the universities or colleges respectively; or if any divine in the universities shall preach or print any thing either way, other than is already established in convocation with our royal assent; he, or they the offenders, shall be liable to our displeasure and the church's censure in our commission ecclesiastical, as well as any other; and we will see there shall be due execution upon them.

CXXXVII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Geo. Abbot 23.	1633.	Carol. I. 9.

The archbishop's letter about the ministering and receiving of the sacrament in the church of Crayford in Kent.—Reg. II. Abbot, fol. 143. b.

GEORGE, by the providence of God archbishop of Cant. primate and metropolitan of all England, to our well beloved in Christ the parson, churchwardens, and other the parishioners and inhabitants of the parish of Crayford in the county of Kent and deanery of Shoreham, of the peculiar and immediate jurisdiction of us, and of our cathedral and metropolitical church of Christ Cant. and to all other persons whatsoever, to whom these presents shall come, or may any way concern, greeting in our Lord God everlasting. Whereas upon some difference arising among you about the decent and reverend ministering and receiving of the holy communion in the chancel of the said church of Crayford, we upon the petition of you the parson did refer the viewing of the said church, and examination of the said difference unto

The archbishop's letter] The petition that gave occasion to this letter grew out of the different interpretations of the 82nd canon, which required that at the time of the communion the table "shall be placed in so good sort within the church or chancel, as thereby the minister may be more conveniently heard of the communicants in his prayer and ministration, and the communicants also more conveniently, and in more number, may communicate with the said minister." The one party desired that it should be placed in the body of the church, in order that the eucharist might be considered as a religious feast, the other wished it to be placed altar-wise at the east end of the chancel, in order that it might correspond with the nature of a religious sacri-

sir Nathaniel Brent, knight, our vicar general, who having viewed the said church in the presence of you the said parson, churchwardens, and some others of the said parish, hath certified us what seems to him upon the said view to be most decent and convenient for the most reverend and orderly receiving of the holy communion in the said chancel of the said church. Now know you that upon the relation of the said sir Nathaniel, as also upon a mature and deliberate hearing of the parties interested in the said difference, in our manor house of Lambeth in the county of Surrey upon the 21st day of May, anno Domini MDCXXXIII. in the presence of our said vicar general, and divers others, and also in the presence of Thomas Tane clerk, the now incumbent parson of the parish church of Crayford, and Thomas Andrewes, John Ludlowe, churchwardens, and Joseph Bingham, Thomas King, and John Kettle, parishioners of the said parish of Crayford, and others then and there present, we have ordered and decreed, and by these presents do order and decree as followeth; "videlicet:" that the parishioners and inhabitants of the said parish of Crayford, and others intending hereafter to receive the holy communion there, shall repair unto the two ascents, or foot paces in the chancel before the communion table, and there mats being laid upon the said two ascents, or foot paces, to kneel upon, and mats being also laid on either side above

fice. Thus a difference in the position of the table was made to distinguish two opposite views in a theological dispute now reappearing in the church; and there arose in consequence another article of dissension between the two great parties, into which the whole community, whether churchmen or laymen, were divided. See No. CXL. It is worthy of notice that the decision in this instance was given by archbishop Abbot, and would be considered adverse to the wishes and sentiments of the puritanical party in the church, to which he was supposed to belong. The archbishop died on the 4th of August following. Comp. Fox's Martyrs, vol. ii. p. 700. ed. 1641.

the said steps to kneel upon, (if by reason of the number of communicants it seems requisite, the two ascents or foot paces being first filled,) they shall in decent and reverend manner humbly kneeling upon their knees on the said two ascents or foot paces, receive the holy communion and sacrament of the body and blood of our Lord and Saviour Jesus Christ; and after the first company hath received the same, they to return to their seats and places in the said church; and to give way for a second company to receive in like manner; and the second, after they have received in like manner, to return and give way for a third company, and the third to the fourth, and so successively, until all the communicants there have received the holy communion in manner and form aforesaid. And we do require you the minister of Crayford aforesaid, that upon some Sundays or holidays, in the time of divine service, you do publish and declare this our order and decree to the parishioners of the said parish of Crayford; and we admonish you, the parishioners of Crayford, that upon notice of the premises, you be obedient and conformable thereunto, as you will answer the contrary at your peril. Given under our archiepiscopal seal at Lambhith the eighth day of July, anno Domini MDCXXXIII. and in the three and twentieth year of our translation.

CXXXVIII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Laud̄i.	1633.	Carol. I. 9.

The king's instructions for the most reverend father in God our right trusty and right entirely beloved counsellor William, lord archbishop of Canterbury, concerning certain orders to be observed and put in execution by the several bishops of his province, anno Domini, MDCXXXIII.—Ex MSS. Harleyanæ Bibl. lib. 61. B. fol. 19. et Rymer. Fœd. vol. xix. p. 470.

I. THAT the lords the bishops respectively be commanded to their several sees, there to keep residence, excepting those which are in necessary attendance at our court.

II. That none of them reside upon his land or lease, that he hath purchased, nor on his commendam, if he hold any, but in one of his episcopal houses, and that he waste not the woods where any are left.

III. That they give charge in their triennial visitations, and at other convenient times, both by themselves and the archdeacons, that our declaration for settling all questions in difference be strictly observed by all parties.

The king's instructions] It is evident from these instructions that lecturers, who had always been objects of suspicion in the church, had been encouraged and increased by the influence of puritanical principles, and had in their turn contributed to the growing spirit of independency. They were employed as chaplains in private houses, as occasional lecturers in market towns, and as preachers before corporations; and in all these cases they were engaged by the dissatisfied parties in the church, and naturally adopted such practices and inculcated such opinions as were agreeable to their employers. But the evil had been made more conspicuous by the system and organization that had been given to it. Twelve persons, all belonging to the

IV. That there be a special care taken by them all, that their ordinations be solemn and not of unworthy persons.

V. That they likewise take great care concerning the lecturers within their several dioceses, for whom we give these special directions following:

1. That in all parishes the afternoon sermons be turned into catechising, by questions and answers, where and whensoever there is not some great cause apparent to break this ancient and laudable order.

2. That every bishop take care in his diocese, that all lecturers do read divine service, according to the liturgy printed by authority, in their surplices and hoods, before the lecture.

3. That where a lecture is set up in a market town, it may be read by a company of grave and orthodox divines near adjoining and of the same diocese, and that they ever preach in such seemly habits as belong to their degrees, and not in cloaks.

4. That if a corporation maintain a single lecturer, he be not suffered to preach, till he professes his willingness to take upon him a living with cure of souls within that corporation, and that he do actually take such benefice or cure, so soon as it shall be fairly procured for him.

VI. That the bishops do countenance and encourage the grave and orthodox divines of their clergy; and that

puritan party, had formed themselves into a society for purchasing impropriations, for establishing lectureships, for hiring schoolmasters, and for other purposes of a similar nature; and being supported by ample subscriptions, they became the centre of a large religious party, and seemed likely to acquire a permanent control over the affairs of the church. In the year 1630 Dr. Heylin, in an Act sermon preached in Oxford, first pointed out the dangerous character of this new society; and in the year 1632 it was dissolved and its property confiscated, on an information which had been laid against it by Noy the attorney general, as being an illegal association. Archbishop Laud speaks of it in his Diary (Feb. 13, 1632) as being "the main instrument for the puritan faction to undo the church." (Heylin's Laud, p. 198. Can-

they use means by some of the clergy or others to have knowledge, how both the lecturers and preachers within their several dioceses behave themselves in their sermons, that so they may take present order for any abuse accordingly.

VII. That the bishops suffer none under noblemen or men qualified by law, to keep any private chaplain in his house.

VIII. That they take special care that divine service be diligently frequented as well for prayers and catechism as sermons; and that particular notice be taken of all such as absent themselves as recusants or otherwise.

IX. That no bishop[a] whatsoever, who by our grace and good opinion of his service shall be nominated by us to another bishopric, shall from the day of our nomination presume to make any lease for three lives or one and twenty years, or a concurrent lease, or any ways renew any estate, or cut any wood or timber, but merely receive the rents due, and quit the place: for we think it a hateful thing, that any man's preferment to a better bishopric should almost undo the successor. And if any shall presume to break this order, we will refuse him our royal assent, and keep him at the place which he hath so abused.

terb. Doom, p. 386. Wood's Ath. Ox. vol. iii. p. 554. Neal, Purit. vol. i. p. 548. Collier, vol. ii. p. 754. Rushw. vol. ii. p. 30. Lingard, vol. vi. p. 302.) This was the first grievance to which the archbishop turned his attention, and he found his remedy in these instructions and in his letters respecting titles for ordination, which he issued immediately after his appointment. See No. CXXXIX. For further particulars respecting the episcopal house at Cuddesden, the building of which was much promoted by the archbishop, see Laud's Diary of Sept. 2, 1635. and Wood's Ath. Ox. vol. ii. p. 893.

[a] *IX. That no bishop*] This just and salutary regulation was sometimes suspended by the king himself; as, in the instance of bishop Wren on his removal from the see of Hereford to that of Norwich in the year 1636. Wren's Parental. p. 50.

X. That every bishop[b] give his metropolitan a strict account yearly of their obedience to our late letters prohibiting them to change any leases from years into lives, and that they fail not to certify, if they find that the dean, or dean and chapter, or any archdeacon or prebendary etc. within their several dioceses have at any time broken our command in any particular contained in the aforesaid letters.

XI. That every bishop to whom in regard of the small revenue of his bishopric, we either have already or shall hereafter not only give power but command to receive and hold as in commendam any lease expired, or near expiring, and belonging to the see, or any ecclesiastical benefice or benefices or other promotions with cure or without, being in his or their own gift, by letters given under our signet and sent to those bishops respectively, do likewise give an account yearly to his metropolitan, that he doth not put any of the aforenamed benefices or other preferment out of his commendam to give to any son, kinsman, friend, or other, upon any pretence whatsoever, thereby to frustrate our gracious intention to the bishops succeeding to those several sees.

XII. That every bishop respectively do likewise in his yearly account to his metropolitan give notice of any notable alteration or other accident within his diocese, which may any ways concern either the doctrine or the discipline of the church established.

XIII. That whereas John Bancroft, doctor in divinity, and bishop of Oxford, hath very worthily at his own proper costs and charges built a house for himself and the bishops of Oxford successively by both our leave and encouragement upon the vicarage of Cudsden near Oxford, which vicarage is in the patronage and gift of him and his successors; and whereas our further will and pleasure

[b] *X. That every bishop*] See No CXLII.

is, that the said house together with the vicarage aforesaid shall ever be held in commendam by the bishops of Oxford successively; that therefore the said bishop for the time being do yearly give his particular account of his holding both the house and benefice aforesaid, to the end that we and our successors may upon all occasions be put in mind of keeping that house and vicarage to the see of Oxford at all times of change, when or howsoever that bishopric shall become vacant or void.

XIV. Lastly we command every bishop respectively to give his account in writing to his metropolitan of all these our instructions, or as many of them as may concern him, at or before the tenth day of December yearly, and likewise that you out of them make a brief of your whole province, and present it to us yearly by the second day of January following; that so we may see how the church is governed, and our commands obeyed: and hereof in any wise fail you not.

CXXXIX.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Laud i.	1633.	Carol. I. 9.

The king's and archbishop's letters against ordaining any "sine titulo."—Rush. Col. vol. ii. fol. 213. Reg. Laud. fol. 191.

"SALUTEM in Christo." My very good Lord. His majesty hath been often and much troubled upon

The king's and archbishop's letters] See No. CXXXVIII. Archbishop Laud was confirmed on the 19th of September 1633, and on the same day was issued the king's letter, which the archbishop, says Dr. Heylin, had both advised and digested, (Laud. p. 255.) against ordaining any "sine titulo." The evil of which he complained was that many persons were admitted into holy orders without any title assigning them to a

complaints, which have been made unto him by the lords and other men of quality, concerning the multitude of both unlearned and unworthy ministers, which pester the church and are always the causes of great scandal, and too often of schism and divisions therein, and some of them are forced, to the shame of themselves and their calling, for want of means, to beg for their living, and yet are daily made in great numbers, and that directly against the canon of the church, which requires that no man should be made a minister "sine titulo." For remedy of this great abuse and wrong to the church, his majesty has directed his letters to me, and by them required me to call all such bishops to me, as were then in or about the city, and after consultation with them, to send my letters to every several bishop within the province, to require obedience to the canon of the church, and his majesty's directions according to it; the tenour of which his majesty's letter followeth: Most reverend father in God, right trusty and right entirely beloved counsellor, we greet you well. There is nothing more dear to us, than the preservation of true religion, as it is now settled and established in this our kingdom, to the honour of God, and the great comfort of ourself, and our loyal people; and there can nothing more conduce to the advancement thereof, than the strict observation of such canons of the church, as concern those, that are to take orders in their several times, more especially to the keeping of that particular canon, which enjoineth, that no man

pastoral or collegiate duty, and were therefore compelled, in order to maintain themselves, to become itinerants, or "to undertake some stipendiary lecture, wherever they could find entertainment, to the great fomenting of faction in the state, the danger of schism in the church, and ruin of both." In conformity with the king's commands, the archbishop declared that the 33rd canon allowed of certain cases of title, and of none other. Although his rules were in accordance with the canon, they gave rise to complaints, at a period when any attempt at reviving

be made a priest or a minister without a title: for we find that many not so qualified, do by favour or other means procure themselves to be ordained, and afterwards for want of means, wander up and down to the scandal of their calling; or to get maintenance, fall upon such courses as are most unfit for them, both by humouring their auditories, and other ways altogether unsufferable: we have therefore thought fit, and we do hereby straitly require and charge you to call such bishops to you, as are now present in or near our city of London, and to acquaint them with this our resolution; and further, that you fail not in the beginning of the next term to give notice of this our will and pleasure openly in our high commission court, and that you call into our said court every bishop respectively, that shall presume to give orders to any man, that hath not a title, and there to censure him as the canon aforesaid doth enjoin, which is to maintain the party so ordered till he give him a title, and with what other censure you in justice shall think fit. And our further will is, that nothing shall be reputed a title to enable a man for orders, but that which is so by the ancient course of the church, and the canon law, so far forth as that law is received in this our church of England. And as you must not fail in these our directions, nor in any part of them, so we expect that you give us from time to time a strict account of your proceedings in the same. Given under our signet at our palace of Westm. the nineteenth day of September, in the ninth year of our reign.

ancient dicipline would meet with great obstruction; and this attempt accordingly became another addition to the many points at issue in the great and fierce contention of the times. "By reason of these rules, no lecture whatsoever was admitted to be a canonical title; and so all ordinations of ministers to supply lectures was totally secluded; also no chaplainship to any nobleman's family was allowed to be a sufficient title." Rushw. vol. ii. p. 214. Heylin's Laud, p. 255.

According to these letters, I am to pray and require you, that at all times of ordination you be very careful to admit none into holy orders, but such men, as for life and learning are fit, and which have a title for their maintenance, according to the laws and ancient practice of the church. And his majesty hath further commanded me to advertise your lordship, that he will not fail to call for an account of these his letters both of me and you. Thus not doubting but you will have a special care both of the good of the church, and his majesty's contentment herein, I leave you to the grace of God, and rest

Your lordship's very loving friend and brother,

Lambeth, Oct. 24. MDCXXXIII. W. CANT.

The archbishop's declaration what is a title according to the canon.—Rushworth's Coll. vol. ii. p. 214. Heylin's Life of Laud ad annum.

I. A PRESENTATION to some ecclesiastical preferment.

II. Or, a certificate undoubted, that he is provided of some church void there.

III. Or, a grant of some petty canon's place, or the like, in a cathedral or a collegiate church.

IV. Or, a fellow, or in the right of a fellow in some college in Oxford or Cambridge.

V. Or, a conduct[c], or a chaplain in some college in Oxford, or Cambridge.

[c] *V. Or, a conduct*] Distinct from a chaplain, holding indeed the same kind of office, but without endowment. "Preces . . . per aliquem sacris ordinibus initiatum, communi aularium sumptu conducendum, peragantur." Statuta Aul. Univ. Oxon.

VI. Or, a master of arts of five years standing, living at his own charge in either of the universities.

VII. Or, the intention of the bishop that ordains, shortly to admit him to some benefice, or curate's place then void.

And I think the canon intends, that after a man is once admitted a curate, the parson or vicar of the place should not have power to put them off at pleasure, but only for such criminal unworthiness, as might deprive him of his benefice, if he had one.

CXL.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Laud i.	1633.	Carol. I. 9.

An order of council for placing the communion table in St. Gregory's church.—Rushw. Col. vol. ii. fol. 207.

At Whitehall November 3. MDCXXXIII.

THIS day was debated before his majesty, sitting in council, the question and difference, which grew about the removing the communion table in St. Gregory's church, near the cathedral church of St. Paul, from the

An order of council] See No. CXXXVII. Rushw. vol. ii. p. 207. Heylin's Laud, p. 259. It seems to have been the practice in churches to place the communion table for the administration of the sacrament, in such a centrical situation as might be most convenient for the minister and the communicants. This practice began in the reign of king Edward VI., when bishop Ridley removed the ancient altars, and afterwards obtained letters from the council to confirm what he had done (dated Nov. 24, 1550). It continued also in the time of queen Elizabeth, from whose Injunctions (No. XLIII. p. 233.) it is evident that the table when required for the communion was removed from its customary position, where the altar had formerly stood, and was placed in a more convenient situation within the church. The same practice

middle of the chancel to the upper end, and there placed altarwise, in such manner as it standeth in the said cathedral, and mother church, as also in all other cathedrals and in his majesty's own chapel, and as is consonant to the practice of approved antiquity; which removing and placing of it in that sort was done by order of the dean and chapter of St. Paul's, who are ordinaries thereof, as was avowed before his majesty by Dr. King, and Dr. Montford, two of the prebends there; yet some few of the parishioners, being but five in number, did complain of this act, by appeal to the court of arches, pretending that the book of Common Prayer and the 82d canon do give permission to place the communion table where it may stand with most fitness and convenience. Now his majesty having heard particular relation made by the council of both parties of all the carriage and proceedings in this cause, was pleased to declare his dislike of all innovation, and receding from ancient constitutions, grounded upon just and warrantable reasons, especially in matters concerning ecclesiastical order and government; knowing how easily men are drawn to affect novelties, and how soon weak judgments in such cases may be overtaken and abused. And he was also pleased to observe, that if those few parishioners might have their wills, the difference thereby from the aforesaid cathedral

has also been commended by bishop Jewel, as may be seen from his reply to Harding, (p. 144. ed. 1609.) by bishop Babington, by Dr. Fulke and other eminent divines. But independently of the disorder which had in some places arisen from the practice, and the greater degree of external observance that had gradually been gaining ground in religious ordinances, the position of the table had now become the token of a distinct and solemn belief as to the nature of the eucharist, and was therefore treated as a question of conscience and an article of faith. The archbishop's religious opinions coincided with the strictest view of the case; and having this order of council in his favour, he proceeded gradually to establish a uniform practice respecting it. For cathedrals (as we find from the statutes enjoined by him in his own

mother church, by which all other churches depending thereon ought to be guided, would be the more notorious, and give more subject of discourse and disputes, that might be spared, by reason of the nearness of St. Gregory's, standing close to the wall thereof. And likewise for so much as concerns the liberty of the said Common Prayer book or canon, for placing the communion table in any church or chapel with most conveniency; that liberty is not so to be understood, as if it were ever left to the discretion of the parish, much less to the particular fancy of any humorous person, but to the judgment of the ordinary, to whose place and function it doth properly belong to give direction in that point, both for the thing itself, and the time when, and how long, as he may find cause. Upon which consideration his majesty declared himself, that he well approved and confirmed the act of the said ordinary, and so gave commandment, that if those few parishioners before mentioned do proceed in their said appeal, then the dean of the arches, who was then attending at the hearing of the cause, should confirm the said order of the aforesaid dean and chapter.

cathedral) he required that the altar should be placed at the east end, and be provided with candlesticks, bason, carpet and other furniture; and that in all approaches to the altar due reverence should be made to God by bowing toward it. For parish churches (as we learn from orders issued in the diocese of Norwich,) he ordained that the table should stand close under the east wall of the chancel, the ends thereof north and south, and that the rail be made before it, reaching across from the north wall to the south. (No. CXLIII.) These regulations however did not generally take effect till about the year 1636, and not without the greatest opposition. Rushw. vol. ii. p 278 Wilkins, Conc. vol. iv. p. 526. Heylin's Laud, p. 291. Canterbury's Doom, P. i. p. 87. Neal, Purit. vol. i. p. 565. Collier, vol. ii. p. 762.

CXLI.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Laud i.	1633.	Carol. I. 9.

The king's majesty's declaration to his subjects concerning lawful sports to be used.

By the king.

OUR dear father of blessed memory in his return from Scotland, coming through Lancashire, found that his subjects were debarred from lawful recreations upon Sundays after evening prayers ended, and upon holidays: and he prudently considered, that if these times were taken from them, the meaner sort, who labour hard all the week, should have no recreations at all, to refresh their spirits. And after his return, he further saw that

The king's majesty's declaration] In the year 1617, during his journey into Scotland and his return homeward, king James indulged his court in all possible diversions, to the great gratification of the new favourite, the future duke of Buckingham. Great was the contrast between the loose revelry of the king, and the stern morality of his subjects, more especially in such districts as the county of Lancaster, where, owing to the prevalence of popery, the puritans carried their sentiments also to the utmost degree of strictness, and both parties, by a kind of mutual repulsion, were equally distinguished for their superstitious practices. In the following year the king published his Book of Sports, but did not long insist upon its observance, being influenced probably by the representations of several of his bishops. "Archbishop Abbot," says Wilson, "being at Croydon the day it was ordered to be read in churches, flatly forbade it to be read there; which king James was pleased to wink at, notwithstanding the daily endeavours that were used to irritate the king against him." Kennet, vol. ii. p. 709. Hallam, vol. i. p. 431. Collier, vol. ii. p. 711.

In the year 1633 the same question was revived, but with the additional misfortune of involving in it a contest between civil and ecclesiastical authority. The magistrates and judges of assize acting in the county of Somerset had ordered all revels and wakes to be sup-

his loyal subjects in all other parts of the kingdom did suffer in the same kind, though perhaps not in the same degree; and did therefore in his princely wisdom publish a declaration to all his loving subjects concerning lawful sports to be used at such times; which was printed and published by his royal commandment in the year MDCXVIII. in the tenour, which hereafter followeth:

By the king.

Whereas upon our return the last year out of Scotland we did publish our pleasure touching the recreations of our people in those parts under our hand; for some causes us thereunto moving we have thought good to command these our directions, then given in Lancashire, with a few words thereunto added, and most applicable to these parts of the realms, to be published to all our subjects.

Whereas we did justly in our progress through Lancashire rebuke some puritans and precise people, and took

pressed, including the feasts of the dedication of churches, and required the clergy to make publication of these orders within their several parishes. The archbishop complained to the king in council; and chief justice Richardson, who was mainly instrumental in the matter, was soon afterwards compelled to revoke the orders that he had given. And thus it became a question of strong party feeling, and of extreme opinion, which grew out into feuds and divisions, as soon as the king put forth his Book of Sports, and the clergy were required to publish it in their respective churches. Nothing could be more trying to the conscience of individuals, or more fatal to the efficiency of the church.

Many consequently were suspended or deprived: some were excommunicated. But even this was not all: for the dissension revived, and brought within its vortex, the old dispute respecting the divine authority of the sabbath; and so forcing itself into questions from which it might otherwise have been excluded, it involved all classes of men, the learned as well as the uninformed, the theologian as well as the zealot, in the universal discord. And this was a crisis in the history of the church of England. Rushw. vol. ii. pp. 192. 459. Heylin's Laud, p. 257. Neal. Purit. vol. i. p. 558. Collier, vol. ii. p. 758. Canterb. Doom, p. 153. Hallam, vol. i. p. 512.

order, that the like unlawful carriage should not be used by any of them hereafter, in the prohibiting and unlawful punishing of our good people for using their lawful recreations and honest exercises upon Sundays and other holidays after the afternoon sermon or service; we now find that two sorts of people, wherewith that country is much infected (we mean papists and puritans) have maliciously traduced and calumniated those our just and honourable proceedings. And therefore lest our reputation might upon the one side (though innocently) have some aspersion laid upon it, and that upon the other part our good people in that country be misled by the mistaking and misrepresentation of our meaning; we have therefore thought good hereby to clear and make our pleasure to be manifested to all our good people in those parts.

It is true, that at our first entry to this crown and kingdom we were informed, and that too truly, that our county of Lancashire abounded more in popish recusants, than any county of England; and hath still continued to our great regret with little amendment, save that now of late in our last riding through our said county we find both by the report of the judges, and of the bishop of the diocese, that there is some amendment now daily beginning, which is no small contentment to us.

The report of this growing amendment amongst them made us the more sorry, when with our own ears we heard the general complaint of our people, that they were barred from all lawful recreation and exercise upon the Sunday afternoon, after the ending of all divine service, which cannot but produce two evils; the one the hindering of the conversion of many, whom their priests will take occasion hereby to vex, persuading them that no honest mirth or recreation is lawful on those days, which cannot but breed a great discontentment in our people's hearts, especially of such as are peradventure upon the point of turning; the other inconveniency is, that this prohibition

barreth the common and meaner sort of people from using such exercises as may make their bodies more able for war, whenever we or our successors shall have occasion to use them; and in place thereof, sets up filthy tiplings and drunkenness, and breeds a number of idle and discontented speeches in their alehouses. For when shall the common people have leave to exercise, if not upon Sundays and holidays, seeing they must live by their labour, and win their living in all working days?

Our express pleasure therefore is, that the laws of our kingdom and canons of our church be as well observed in that county, as in all other places of this our kingdom. And on the other part that no lawful recreations shall be barred to our good people, which shall not tend to the breach of our aforesaid laws, and canons of our church: which to express more particularly, our pleasure is, that the bishops and all other inferior clergymen and churchwardens shall for their parts be careful and diligent both to instruct the ignorant, and convince and reform them that are misled in religion, presenting them that will not conform themselves but obstinately stand out, to our judges and justices: whom we likewise command to put the laws in due execution against them. Our pleasure likewise is, that the bishop of the diocese take the like strait order with all the puritans and precisians within the same, either constraining them to conform themselves, or to leave the county, according to the laws of our kingdom, and canon of our church, and so to strike equally on both hands against the contemners of our authority and adversaries of our church. And as for our good people's lawful recreation, our pleasure likewise is, that after the end of divine service our good people be not disturbed, letted, or discouraged from any lawful recreation, such as dancing, either men or women, archery for men, leaping, vaulting, or any other such harmless recreation, nor from having of May-games, Whitsun-ales, and

morris-dances, and the setting up of May-poles, and other sports therewith used, so as the same be had in due and convenient time, without impediment or neglect of divine service: and that women shall have leave to carry rushes to church for the decoring of it, according to their old custom. But withal we do here account still as prohibited all unlawful games to be used on Sundays only, as bear and bull baitings, interludes, and at all times in the meaner sort of people by law prohibited bowling.

And likewise we bar from this benefit and liberty all such known recusants, either men or women, as will abstain from coming to church or divine service, being therefore unworthy of any lawful recreation after the said service, that will not first come to church and serve God. Prohibiting in like sort the said recreations to any that, though conform in religion, are not present in the church at the service of God, before their going to the said recreations. Our pleasure likewise is, that they, to whom it belongeth in office, shall present and sharply punish all such, as in abuse of this our liberty will use these exercises before the end of all divine services for that day. And we likewise straitly command, that every person shall resort to his own parish church to hear divine service, and each parish by itself to use the said recreations after divine service. Prohibiting likewise any offensive weapons to be carried or used in the said times of recreations. And our pleasure is, that this our declaration shall be published by order from the bishop of the diocese through all the parish churches, and that both our judges of our circuits, and our justices of our peace be informed thereof. Given at our manor of Greenwich the 24th day of May, in the 16th year of our reign of England, France, and Ireland, and of Scotland the 51st.

Now out of a like pious care for the service of God, and for suppressing of any humours that oppose truth, and for the ease, comfort, and recreation of our well

deserving people, we do ratify and publish this our blessed father's declaration, the rather because of late in some counties of our kingdom we find, that under pretence of taking away abuses there hath been a general forbidding not only of ordinary meetings, but of the feasts of the dedication of the churches, commonly called "Wakes." Now our express will and pleasure is, that these feasts with others shall be observed, and that our justices of the peace in their several divisions shall look to it, both that all disorders there may be prevented or punished, and that all neighbourhood and freedom with manlike and lawful exercises be used. And we further command our justices of the assize in their several circuits to see that no man do trouble or molest any of our loyal and dutiful people in or for their lawful recreations, having first done their duty to God, and continuing in obedience to us and our laws. And of this we command all our judges, justices of the peace, as well within liberties as without, mayors, bailiffs, constables, and other officers to take notice of and see observed, as they tender our displeasure. And we further will that publication of this our command be made by order from the bishops through all the parish churches of their several dioceses respectively. Given at our palace of Westminster the 18th day of October, in the 9th year of our reign.

God save the king.

The archbishop of Canterbury's letter about sports on the Lord's day.—Reg. Laud, fol. 192. a.

"SALUTEM in Christo." My very good lord. It hath pleased his majesty to command the reprinting of a declaration published in his royal father's time of blessed memory, and intituled, "The king's majesty's declaration to his subjects concerning lawful sports to be

used, etc." wherein, as your lordship shall find at the latter end thereof, every bishop is enjoined to see that the books be distributed to the several parishes within his diocese, and there published to the people, to the end they may know his majesty's princely care over them; and to the effectual performance of this I make no doubt but your lordship will use all diligence. And I am commanded to give you notice hereof, because his majesty expects no less from you; and your officers are to send for the books accordingly. So with my love remembered, I leave you to the grace of God, and rest

Your lordship's very loving friend and brother,

Lambeth, October 28.
MDCXXXIII.

W. CANT.

CXLII.

Archiepisc. Cant. GUIL. LAUD 1. | Anno Christi 1634. | Reg. Angliæ CAROL. I. 20.

King Charles' letter about leases.—Reg. Laud, fol. 202. b.

MOST reverend father in God, right trusty and right entirely beloved counsellor, we greet you well. We have of late taken the state of our several archbishoprics and bishoprics into our princely consideration, that we may be the better able to preserve that livelihood, which

King Charles' letter] See Nos. LXXXIII. CXXXVIII. "On the same day on which the new statutes were received at Oxon, he [the archbishop] procured a supplement to be added to the old statutes of cathedral and collegiate churches, touching the letting of their lands. Some informations had been given, that the deans and prebends of those churches had enricht themselves, their wives and children, by taking great fines for turning leases of 21 years into leases for lives, leaving their successors destitute of that growing means, which otherwise might come in to help them. This was the outside of the business; but the chief motive to it was, that the gentry and yeomanry (and some

as yet is left unto them. Upon this deliberation we find, that of later times there hath not risen a greater inconvenience, than by turning leases of one and twenty years into lives; for by that means the present bishop puts a great fine into his own purse to enrich himself, his wife, and children, and leaves his successors, of what desert soever to us, and the church, destitute of that growing means, which else would come in to help them. By which course, should it continue, scarce any bishop would be able to live and keep house, according to his place and calling. We know the statute makes it alike lawful for a bishop to let his lease for one and twenty years, or three lives; but time and experience have made it apparent, that there is a great deal of difference between them, especially in church leases, where men are commonly in great years before they come to those places. These are therefore to will and command you, upon peril of our utmost displeasure, and what shall follow thereon, that notwithstanding any statute, or any other pretence whatsoever, you presume not to let any lease belonging to your archbishopric into lives, which is not in lives already; and further, that when any fair opportunity is offered you, if any such be, you fail not to reduce such as are in lives, into years. And we do likewise will and require, that these our royal letters may remain upon record, both with your own register, and with the register of the dean and chapter of your cathedral church at

of the nobility also) holding lands of those churches, might have a greater respect to the church and churchmen, when they must depend upon them from time to time for renewing of their said estates at the end of every ten or twelve years at the most. For though it be alike lawful by the law of the land 13 Eliz. c. 20, to make leases of three lives or one and twenty years, at the pleasure of the dean and chapter, yet the difference is so great between them, that once a tenant to my knowledge, after a lease for three lives had continued 29 years in being, chose rather to give a fine for the change of one life, than to take a new lease of 21 years without paying any thing." Heylin's Laud, p. 319.

Cant., and that by them notice be given to all your successors respectively, whom we will that these letters shall concern as much as yourself, that they presume not to break any of these our commands in the least manner, as both you and they will answer it at your and their uttermost peril. Given under our signet at our manor of Greenwich the two and twentieth day of June, in the tenth year of our reign.

"Sic indorsatur:" *To the most reverend father in God, our right trusty and right entirely beloved counsellor, William, lord archbishop of Canterbury, primate and metropolitan of all England.*

The archbishop of Canterbury's letter about the same.—Ibid. fol. 207. a.

"SALUTEM in Christo." My very good lord. Whereas his majesty in a princely consideration of the several bishoprics of this kingdom hath, amongst others, written to your lordship, to take care that hereafter the lands belonging to your see be let for one and twenty years, and not for three lives, for the benefit of the church and your successors; I make no doubt, but you will carefully observe that his gracious pleasure; but in that diocese I hold it requisite you enlarge your care concerning the lands of your bishopric already demised. I pray therefore and do hereby require you to call upon every tenant that holds lands of your bishopric, that he make a survey of the lands he holds, and set the quantity of acres, the particular names of the closes, and other lands, as they are and have been called, and in what township, parish, or county the same and every part thereof lieth; and if it be possible, that they do this before Michaelmas day next; also that they certify you how long they and

their ancestors have held the said lands, now in lease to them; and what houses they, or their ancestors have suffered to decay, and what remain in repair upon the same; and whether the rents answered unto the bishopric, be out of the lands they hold by the said several leases respectively, or out of any other lands, held from the archbishopric, which they do receive of the bishop's freeholders as a chief; and that they express by what right they receive such rents; and how much the rents are, if they be not issuing out of the lands demised unto them. And though this course be taken, yet it is not intended that you shall be concluded hereby, but the end is to prevent the concealment of the church's land, and to discover such as go about to conceal the same: and if you make it appear, that any tenant of your lordship doth hold more lands than he doth acknowledge upon this survey, I will inform his majesty of him, and his course against the church, that such further order may be taken with him as shall appertain to justice. But I hope they will all deal fairly and conscionably with you. Thus recommending to you in this the care both of yourself and successors, I leave you to the grace of God, and rest

Your lordship's very loving friend and brother,

Croydon, August 16.
MDCXXXIV.

W. Cant.

Explication of the king's letter to the archbishop about leases.—Reg. Laud, fol. 208. b.

Charles Rex.

MOST reverend father in God, right trusty and right entirely beloved counsellor, we greet you well. Whereas we did of late direct our princely letters unto yourself, bearing date the two and twentieth day of June

last past, as also other our letters to the dean and chapter of your cathedral church, whereby we did expressly forbid the letting of any church-lease or leases into lives by you or them, or any of your or their successors respectively, excepting only such leases as were before the date of those our letters granted for lives; and concerning which we did require both you and every of them by all lawful means to endeavour, that they might be reduced to years again; all which we have done for the great good and advancement of the church, as we doubt not in future times will plainly appear: now, forasmuch as we have been informed, that some, more affecting their present private gain, than the future good of the church, whereof they are members, have misinterpreted those our princely letters, and do conceive that the meaning is to prohibit only the letting of such leases into lives, as are granted by the dean and chapter of any church, by common consent, and that every particular dean, archdeacon, or prebend, who hath any corps belonging to his dignity, might notwithstanding dispose of it for lives, without breach of our royal command, as if we would direct our letters to a body in general, and not intend to include every several member thereof; these are therefore to will and require you, that you fail not to signify this explanation of our princely pleasure to your several archdeacons, and to the dean and chapter of your cathedral church, that they may impart to it every prebend; which is, that we do not only lay these our commands upon them, and their successors in general, but likewise upon every particular member of that church, whom they may any way concern, from the highest to the meanest officer in the same, including the vicars choral in what church soever any such body is. And that no doubts further may hereafter be made concerning this matter, we will that these our letters, together with our former, should remain upon record, both in your registry and the

registry of the dean and chapter there, that so both they and their successors, from time to time, may take notice of them accordingly, as they will answer the contrary at their utmost perils. Given under our signet at our honour of Hampton Court the sixth day of October, in the tenth year of our reign.

CXLIII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Laud 3.	1636.	Carol. I. 12.

Particular orders, directions, and remembrances given in the diocese of Norwich upon the primary visitation of the reverend father in God, Matthew [Wren] lord bishop of that see.—Reg. Norwic. in ann.

I. THAT the whole divine service be read, both the first and second service, on Sundays and holidays and lecture days, if they have any: and that the communion service, called the second service, be audibly and distinctly read at the communion table unto the end of the Nicene Creed before the sermon or homily; yet

Particular orders] These orders may be considered as exhibiting the wishes and directions of the archbishop, not only on account of the close friendship subsisting between him and bishop Wren (to which they were solemnly pledged by their royal master), but also on account of their perfect accordance in matters of faith and discipline, and the like and common charges which were afterwards brought against them in the days of their persecution. At the end of the year 1635 the archbishop reported to the king, in the account which it was his annual practice to render respecting his province, that the diocese of Norwich, being then without a bishop, "was much out of order, and more especially at Yarmouth and Ipswich." At the end of the following year he reported from the certificate sent to him by bishop Wren, that measures had been taken for bringing the diocese into perfect order, by requiring the practice of catechizing, by restraining and regulating

so as in very large churches the minister may come nearer to read the Epistle and Gospel, and after the sermon and homily the prayer for the whole state of Christ's church, and one or more of the appointed collects at the communion table likewise; and there to dismiss the congregation with The peace of God, etc.

II. That the prayer before the sermon or homily be exactly according to the LV[th] canon, "mutatis mutandis," only to move the people to pray in the words there prescribed, and no otherwise, unless he desire to interpose the name of the two universities, and of a patron; and no prayer to be used in the pulpit after sermon, but the sermon to be concluded with Glory be to the Father, etc. and so come down from the pulpit.

III. That the communion table in every church do always stand close under the east wall of the chancel, the ends thereof north and south, unless the ordinary give particular direction otherwise, and that the rail be made before it according to the archbishop's late injunctions, reaching cross from the north wall to the south wall, near one yard in height, so thick with pillars, that dogs may not get in.

IV. That the litany be never omitted on Sundays, Wednesdays, and Fridays, and that at all times the

chaplains and lecturers, and by other salutary methods; asking at the same time for instructions respecting scholars acting as schoolmasters in private houses, and other points of ecclesiastical discipline. On making this report the archbishop observed, it appeared therefrom that the bishop "had deserved very well of the church of England." The bishop had in the mean time issued a long and minute list of articles of inquiry, and upon the answers he received, he had founded his "Particular orders, directions, and remembrances." From the unsatisfactory state of his diocese, and from his own love of discipline, he carried his regulations so far and so exactly, that even lord Clarendon describes him as of a "severe sour nature," and charges him with being the occasion of banishing the manufactures of that wealthy district into foreign parts, by means of his severities against dissenting congrega-

minister be in his surplice and hood whensoever he is in public to perform any part of his priestly function; and that in reading the chapters he leave out the contents, and after the lessons do use no psalms or hymns, but those that are appointed in the Common Prayer book.

V. That the "Gloria Patri" be said after every psalm, all standing up; and that the people do audibly make all answers in the litany, and all other parts of the service, as is appointed in the book of Common Prayer; and to that end to lead the common people therein, that there be a clerk in every parish that can read sufficiently, and have competent allowance from the parish, and where there is none, that there be one forthwith appointed and chosen according to the canon.

VI. That the "Quicunque vult," or creed of Athanasius, be used on the days by the rubric appointed, instead of the Apostles' Creed, and that ministers forget not to read the Collects, Epistles, and Gospels appointed for the conversion of St. Paul, and for all the holy week before Easter, and for St. Barnaby's day, and for Ash-Wednesday with the Commination also on that day; and also to use the prayers and suffrages in going the perambulation,

tions. But lord Clarendon seems to have confounded a conscientious, though possibly mistaken, ecclesiastic, with a morose tyrant.

On the 19th of December 1640, the day after the impeachment of the archbishop, the commons sent a message to the house of lords stating that grave charges of idolatry and superstition were pending against bishop Wren (at that time bishop of Ely), and begging that his person might be in safe keeping to abide the judgment of parliament. The articles of impeachment brought against him in the July following were 24 in number, and recount the whole of his proceedings in the diocese of Norwich, forming a complete commentary, from a very unfriendly hand, on the orders that he issued for the government of it. See Wren's Parentalia, pp. 10, 11, 12, &c. Collier, vol. ii. p. 771. Canterb. Doom, p. 373. Neal, Purit. vol. i. p. 585. Clarendon, Hist. vol. i. p. 153, vol. ii. p. 128. Heylin's Laud, p. 313. Rymer, vol. xx. p. 110. Hallam, vol. i. p. 513.

which is yearly to be observed in every parish upon the rogation days, viz. the Monday, Tuesday, and Wednesday before Ascension, and at no other times; at which it is anciently enjoined, that the ministers at some convenient places do (in a word) admonish the people to give thanks to God beholding his benefits in the fruits of the earth, saying the CIII. Psalm, and as time and places shall admit, the CIV. Psalm, and at any special bound mark repeating this or such holy sentences of scripture, "Cursed be he that removeth away the mark of his neighbour's land," and that returning at last to the church there they say the divine service.

VII. That no man presume to have his hat on his head in the time of service and sermon in the church, and that due and lowly reverence be visibly done by all persons present when the blessed name of the Lord Jesus is mentioned; and that every one of the people do kneel devoutly when the confession, absolution, commandments, or any collect, or other prayer is read both at the time of the common service of the church, as also at christenings, burials, marriages, etc.

VIII. That warning be given by the minister for holidays and fasting days in the next week following, immediately after the prayer for the whole state of Christ's church; and that as soon as such warning is given, the second of those three exhortations, which next after the prayer for the universal church are set down in the service book, be treatably pronounced; after which to follow some of the collects appointed; and then to dismiss the people with The peace of God, etc.

IX. That when any need is, the sick by name be prayed for in the reading desk, and no where else at the close of the first service; except it be in the afternoon, and then to be done immediately after the creed, using only those two collects, which we set down in the service book for the visitation of the sick; that next after the

marriage (if there be any) be begun in the body of the church, and finished at the table; that the churching of women begin as soon as the minister comes up to the communion table before the second service, unless there be a marriage the same day; for then the churching is not to begin till those prayers appointed to be said at the Lord's table for the marriage be ended.

X. That women to be churched come and kneel at a side near the communion table without the rail, being veiled according to the custom, and not covered with a hat; or otherwise not to be churched but presented at the next generals by the minister, or churchwardens, or any of them.

XI. That they go up to the holy table at marriages at such time thereof as the rubric so directeth, and that the new married persons do kneel without the rail, and do at their own charge, if the communion were not warned the Sunday before, receive the holy communion that day, or else to be presented by the minister and the churchwardens at the next generals for not receiving.

XII. That no minister presume to marry any persons, whereof one of the parties is not of his parish, unless it be otherwise expressly mentioned in the license; nor that he marry any by virtue of any faculties or license, wherein the authority of an archdeacon or official is mentioned, "sub pœna suspensionis"

XIII. That the parishioners be warned by the minister and churchwardens to bring their children to the church for baptism in due time, and if any child be not brought before the second lesson, that then the parents be presented for that default, and that no baptism be administered, excepting in the case of extreme necessity, but on the Sunday or holiday.

XIV. That the font at baptism be filled with clean water, and no dishes, pails, nor basons be used in it, or instead of it; and that the minister admit but two god-

fathers and one godmother for a male child, and two godmothers and one godfather for a female, and then do at first ask them whether the child be yet baptized or no, and do take it in his arms, and sign it with the sign of the cross, when he baptizes it, and after all do admonish them to bring it to confirmation, when time shall serve.

XV. That all communicants come up severally, and kneel before the rail to receive the holy communion; and that the minister repeat to every communicant severally all the words, that are appointed to be said at the distribution of the holy sacrament.

XVI. That no wicker bottles or tavern pots be brought unto the communion table, and that the bread be brought in a clean cloth or napkin; and that the words of consecration be audibly repeated again, if any bread or wine be to be used, which was not at first consecrated.

XVII. That the minister and churchwardens of great parishes, to avoid confusion and over long wearying of the minister and of the parishioners, do take order, that there may not come above 300 or at the most 400 communicants to one communion; for which occasion they are warned to have communions the oftener.

XVIII. That the holy oblations in such places, where it pleaseth God at any time to put into the hearts of his people by that holy action to acknowledge his gift of all they have to them, and their tenure of all from him, and their debt of all to him, be received by the minister standing before the table at their coming up to make the said oblation, and then by him to be reverently presented before the Lord, and set upon the table till the service be ended.

XIX. That the minister do catechise in the afternoon half an hour at least immediately after the last ringing or tolling of the bell for the evening prayer, according to

the questions of the church catechism only, and standing in the reading desk.

XX. That the minister's reading desk do not stand with the back towards the chancel, nor too remote or far from it.

XXI. That the chancels and alleys in the church be not encroached upon by building of seats; and if any be so built, the same to be removed and taken away; and that no pews be made over high, so that they, which be in them, cannot be seen how they behave themselves, or the prospect of the church or chancel be hindered; and therefore that all pews, which within do much exceed a yard in height, be taken down near to that scantling, unless the bishop by his own inspection, or by the view of some special commissioners, shall otherwise allow.

XXII. That none of what rank soever do keep any chaplains, schoolmasters, ministers, or scholars in their houses to read prayers and expound scriptures, or to instruct their family, unless they be thereunto enabled by law.

XXIII. That whereas sermons are required by the church of England only upon Sundays and holidays in the forenoon, and at marriages, and are permitted at funerals, none presume to take upon them to use any preaching or expounding, or to have any such lecturing at any other time without express allowance from the bishop.

XXIV. That every one allowed to be a lecturer, do read the divine service fully in his surplice and hood before every lecture, in the same manner as is appointed on Sundays; and that all lecturers behave themselves modestly in their sermons, preaching faith, obedience, and good works, in all things observing his majesty's declaration prefixed before the thirty-nine articles, and his majesty's injunctions, without meddling with matters of state, news, or questions late in difference, nor favour-

ing or abetting any schismatics or separatists, either by special prayer for them or otherwise approving of them.

XXV. That the churchwardens suffer no man but their own parson, vicar, or curate to preach upon any occasion in their church, till he shew his license, and subscribe his name in their paper book for that purpose appointed, and the name of the bishop who licensed him.

XXVI. That there be the same manner of ringing and tolling of bells to church on holidays, as is used on Sundays, and that there be no difference of ringing to church, when there is a sermon, more than when there is none; excepting the knells for funerals.

XXVII. That no church windows nor chancel windows be stopped up in any part; nor the floor in any part unpaved, or uncleanly kept; nor the churchyard any ways abused, annoyed, or profaned.

XXVIII. That all defaults contrary to the premises be faithfully inquired into by the officials from time to time at their generals, of whom the bishop will require an account concerning the same.

CXLIV.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Laud 4.	1637.	Carol. I. 13.

Literæ patentes pro visitatione locorum exemptorum.
Reg. Laud. fol. 85. b.

CAROLUS, Dei gratia Angliæ, Scotiæ, Franciæ, et Hiberniæ rex, fidei defensor, etc. reverendissimo in Christo patri Willielmo, providentia divina archiepiscopo

Literæ patentes] Among the improvements projected by the archbishop one was, as he himself expressed it, "To settle the statutes of all the cathedral churches of the new foundations, whose statutes are imperfect and not confirmed. Done for Canterbury." After completing this work for his own cathedral, and obtaining the king's letters of

Cant. totius Angliæ primati et metropolitano, Johanni, eadem providentia Roffen. episcopo, Nathanieli Brent, militi, legum doctori, vicario ejusdem archiepiscopi in spiritualibus generali, Thomæ Reeves, legum etiam doctori, advocato nostro, Isaaco Bargrave, S. T. P. decano ecclesiæ cathedralis metropoliticæ Christi Cantuar. Johanni Warner, et Thomæ Jackson, sacræ theologiæ etiam respective professoribus, Richardo Clark, sacræ theologiæ professori, Arthuro Ducke, et Roberto Aylet, legum respective doctoribus, salutem. Cum vos prædict. archiepiscopus ex solicitudine pastorali gregis dominici vobis commissi, tam civitatem, diœc. et ecclesiam vestram Cant. cæterasque diœc. et ecclesias tam cathedrales, quam collegiatas et parochiales, hospitalia item, et scholas publicas seu liberas, aliaque loca ecclesiastica infra provinciam vestram Cant. constituta, tam in capite, quam in membris, clerumque et populum residentem in eisdem diœc. et provincia, jure vestro metropolitico propediem visitare, et negotiis præpediti munus illud prædict. episcopo, Nathanieli, Thomæ, Isaaco, Johanni, Thomæ, Ri-

confirmation, dated Jan. 3, 1637, (Rymer, vol. xx. p. 99.) he then applied for general letters patent to enable him to carry the whole of his great undertaking into effect, including schools, hospitals, and other eleemosynary houses. These letters were issued on the 1st of March in the same year; but owing to the insurrection in Scotland, and the rebellion that followed soon afterwards, no further progress was made in the matter. The "cathedrals of the new foundation" were those that were founded in the reign of Henry VIII. after the dissolution of the monasteries: viz. Canterbury, Winchester, Ely, Worcester, Norwich, Rochester, Durham, and Carlisle, together with those of the five bishoprics, of Oxford, Gloucester, Bristol, Peterborough, and Chester, which were created at the same period. The rest were of old foundation, and their statutes required no alteration, except in the case of Hereford; for which the archbishop had already provided. (Hist. of Troubles, &c. p. 68.) For an account of subsequent doubts and disputes arising out of the unsettled condition of these statutes, and the final adjustment of them by the act, 6 Anne, c. 21. see Burn, Eccl. Law, art. Deans and Chapters. Comp. Gibs. Cod. pp. 203–208.

chardo, Arthuro, et Roberto (inter alios) conjunctim et divisim committend. proposuistis; ac tam infra diœcesim, quam alibi infra provinciam vestram Cant. diversæ ecclesiæ cathedrales, cum episcopis, decanis, capitulis, cæterisque ministris et officiariis in eisdem, ac decani et capitulum cum præbendariis, aliisque ministris et officiariis in diversis ecclesiis nuper citra annum regni domini Henrici, nuper regis Angliæ octavi, vicesimum sextum, ac tam citra annum illum, quam antea nonnulla hospitalia et domus ad pauperum sustentationem, ac scholæ quædam publicæ et liberæ per antecessores nostros fundata, erecta, et stabilita extiterunt et existunt; et æquum est, ut qui unitatem religionis amplexi sunt, eadem disciplina ad cultum divinum externum et morum probitatem dirigantur; nos auctoritatem nostram regiam ad fidem Christianam vere catholicam, cujus sumus defensores, et morum probitatem conservand. nobis a Deo optimo maximo commissam agnoscentes, utque (amputatis malorum vepribus) sincera religio et canonica recte vivendi forma tam in ecclesiis et locis antedictis, quam in cæteris ecclesiis, ac in locis universis provinciæ vestræ florescat et augeatur, cupientes; ad visitand. igitur tam in capite, quam in membris, tam ecclesias cathedrales et collegiatas prædict. ac præfata hospitalia, domus, scholas, et singula loca ecclesiæ infra diœc. et provinciam prædict. de fundatione vel patronatu nostri vel progenitorum nostrorum (tam exempta et immediate nobis subjecta, quam non exempta) quam episcopos, decanos, et capitulum, præbendarios, officiarios, et ministros, aliosque degentes vel ministrantes in eisdem (ecclesia collegiata beati Petri Westm. et decano, capitulo, et ministris in eadem except.) ac de statu ecclesiarum, hospitalium, domorum, et scholarum illarum, ac eorundem episcoporum, decanorum, et capitulorum, ac canonicorum, præbendariorum, ministrorum, et officiariorum, et aliorum quorumcunque in eisdem degentium vel ministrantium, modis omnibus, quibus melius et

efficacius poteritis, inquirend. et investigand. ac delinquentes irregularitatis macula irretit. vel officia seu ministeria sua negligentes, aliterve culpabiles pœnis pro ratione et modo criminum, excessuum, negligentiarum, et delictorum suorum condignis, usque ad dignitatum, officiorum, et ministeriorum respective privationem et amotionem inclusive, ad stipendiorum, et emolumentorum suorum sicut in dividentiis excrescentium, communiis, annona, cæterisque proventibus suis ecclesiasticis indies pervenient. sequestrationem, vel quamcunque aliam congruam et competentem coercionem, puniend. et corrigend. ad probatiores vivendi mores, et canonicum magis officiorum suorum ministerium, modis omnibus, quibus poteritis, reducend. contumaces item et rebelles, si quos inveneritis, cujuscunque fuerint status vel conditionis, tam per censuras ecclesiasticas et alia juris remedia compescend. aliisque jurisdictionem ecclesiasticam durante visitatione vestra in ecclesiis et locis prædictis exercere inhibend. prout inhibemus per præsentes. Insuper chartas regias, indulta, privilegia, immunitates, libros, statuta (si quæ sint) registra, computa, et alia scripta, seu munimenta quæcunque dictarum ecclesiarum, hospitalium, domorum, scholarum, episcoporum, decanorum, capitulorum, canonicorum, præbendariorum, ministrorum, officiariorum prædict. fundationem, incorporationem, dotationem, negotia, vel statum quoquomodo tangen. sive concernen. petend. exigend. vobisque proferri et exhiberi mandand. et faciend. ea recipiend. et diligenter examinand. necnon injunctiones et statuta, quæ vobis pro commodiori ordine et gubernatione ecclesiarum, hospitalium, domorum, scholarum, decanorum, capitulorum, canonicorum, præbendariorum, ministrorum, et officiariorum prædict. videbuntur idonea, tam durante visitatione prædicta quam postea, condere et edere, eisque nobis propositis, et per nos stabilitis, ea decanis, capitulis, canonicis, præbendariis, ministris, officiariis, atque aliis quibuscunque in eisdem

ecclesiis, hospitalibus, domibus, scholis, et locis commorantibus vel ministrantibus, per ipsos et eorum successores observanda, nomine nostro tradend. et auctoritate nostra eis indicend. et injungend. in eorum violatores pœnas infligend. decernend. et ordinationes et consuetudines (si quas inveneritis) eisdem inidoneas tollend. et penitus abolend. et omnia alia, quæ circa præmissa requisita vel necessaria fuerint aut opportuna, faciend. et exequend. vobis, de quorum sinceritate, religione, et doctrina ac morum probitate, et rebus gerendis provida circumspectione, et industria plenius in hac parte confidimus, ex certa scientia et mero motu nostris, ac suprema auctoritate nostra regia vices et auctoritatem nostras, omni appellatione remota, conjunctim et cuilibet et quibuslibet vestrum separatim vel divisim committendo, plenam tenore præsentium damus et committimus potestatem; vosque ac singulos vestrum et quoslibet vestrum separatim vel divisim delegatos et commissarios nostros ad præmissa omnia et singula exequend. nominamus, ordinamus, et deputamus per præsentes, eatenus duratur. donec eisdem supersedend. fore decreverimus; etiamsi hujusmodi sint, quæ specialia magis et expressa verba requirunt. Ac licet ecclesiæ, hospitalia, domus, scholæ, episcopi, decani, capitula, canonici, præbendarii, cæterique ministri et officiarii aut alii in eisdem ecclesiis sive locis sint de patronatu nostro vel de fundatione nostra, vel progenitorum nostrorum, et sint exempta vel nobis immediate subdita, vel non exempta, cum auctoritate procedendi in præmissis summarie et de plano et sine strepitu et figura judicii, solum rei veritate inspecta, æquitate attenta, ac cum cujuslibet legitimæ coercionis potestate; mandantes omnibus et singulis episcopis, decanis, archidiaconis, canonicis, præbendariis, ministris, et officiariis in ecclesiis et locis prædictis, ac aliis in eisdem degentibus, vel minister. exercentibus, necnon omnibus et singulis vicecomitibus, custodibus pacis, constabulariis, ballivis,

præpositis, necnon rectoribus ecclesiarum, vicariis, hospitalium et scholarum præfectis, ac clero et populo per totam diœc. et provinciam Cant. constitutis, quod vobis et quibuslibet et cuilibet vestrum in præmissis sint intendentes, auxiliantes, et obtemperantes in omnibus, prout decet. Nolumus tamen quod vos prædictus episcopus, Nathanael, Thomas, Isaacus, Johannes, Thomas, Richardus, Arthurus, vel Robertus, vel vestrum aliqui in legibus et statutis prælibatis condendis vel edendis statuatis, vel aliquis vestrum statuat vobis præfato archiepiscopo inconsultis. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westm. tricesimo primo die Martii, anno regni nostri decimo tertio.

CXLV.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Laud 4.	1637.	Carol. I. 13.

Proceedings and judgments about ecclesiastical courts.—Ibid. fol. 272. a.

IN camera stellata coram consilio ibidem 12. die Maii, anno decimo tertio Caroli regis.

This day several petitions being read in open court, presented on the behalf of John Bastwick, doctor in physic,

Proceedings and judgments] The union that had taken place between the rulers of the church and the supporters of high prerogative, aided and brought to a point by the odium which, in the progress of this combination, the former had inevitably contracted, had now induced the discontented party to direct their attack against what appeared to them to be the most vulnerable part of the constitution, the power and authority of bishops. In Trinity Term 1637, an information was brought before the star-chamber against Bastwick, Prynne, and Burton, for publishing seditious, schismatical and libellous books against the hierarchy and the government. The most offensive books published

and William Pryn gent. defendants, at the suit of his majesty's attorney general, the most reverend father in God, the lord archbishop of Cant. his grace informed the court, that in some of the libellous books and pamphlets lately published, his grace and others the reverend bishops of the realm are said to have usurped upon his majesty's prerogative royal, and to have proceeded in the high commission and other ecclesiastical courts, contrary to the laws and statutes of the realm; about which he prayed the judges might be attended, and they prayed and required by this court to certify their opinion therein. Upon consideration whereof, the court hath ordered, that the two lord chief justices, now present in court, the lord chief baron, and the rest of the judges and barons shall be attended by his majesty's learned council, touching the particulars hereafter ensuing, videlicet,

I. Whether process may not issue out of the ecclesiastical courts in the name of the bishops?

II. Whether a patent under the great seal be necessary for the keeping of the ecclesiastical courts, and enabling of citations, suspensions, excommunications, and other censures of the church; and whether the citation ought to be in the king's name, and under the seal of

by the first were entitled, "Apologeticus ad præsules Anglicanos" and "The letany of John Bastwicke;" the libel of Prynne was "The news from Ipswich," a severe commentary on the strict discipline then exercised in the diocese of Norwich; and all of them charged the bishops in course and scurrilous language with invading the prerogative, with countenancing profaneness, with despising the holy Scriptures, and promoting popery, superstition, and idolatry. On this occasion (June 14, 1637.) archbishop Laud made his memorable speech against the charge of "innovation," and summed up his opinions as to the power and authority of bishops in the following words: "Our being bishops by divine right takes nothing from the king's right or power over us. For though our office be from God and Christ immediately, yet may we not exercise that power, either of order or jurisdiction, but as God hath appointed us; that is, not in his majesty's, or any Christian king's

arms, and the like for institutions and inductions to benefices, and correction of ecclesiastical offences?

III. Whether bishops, archdeacons, and other ecclesiastical persons may or ought to keep any visitation at any time, unless they have express commission or patent under the great seal of England to do it, and that as his majesty's visitor only, and in his name and right alone?

M. Goad.

Irrotulat. in memorand. scaccarii domini regis nunc Caroli apud Westm. de anno regni sui decimo tertio, videlicet, inter communia de termino sanctæ Trinitatis rot.

Ex parte rememoratoris regis.

Irrotulat. coram domino rege apud Westm. termino sanctæ Trinitatis, anno regni domini Caroli, nunc regis Angliæ, etc. tertio decimo rot. tertio inter placita regis.

Jo. Kellynge.

Irrotulat. coram justic. de banco termino sanctæ Trinitatis anno regni domini Caroli, nunc regis Angliæ, decimo tertio inter placita rot. lv.

R. Brownlowe.

kingdoms, but by and under the power of the king, given us so to do." Rushw vol. iii. App. p. 117.

"The bishops before the reformation issued process from their courts in their own names. By the statute 1 Edw. VI. c. 2. all ecclesiastical jurisdiction is declared to be immediately from the crown; and it is directed that persons exercising it shall use the king's arms in their seal, and no other. This was repealed under Mary; but her act is itself repealed by 1 Jac. I. c. 25. §. 48. This seems to revive the act of Edward; but the question being referred by the star-chamber to the twelve judges, they gave it under their hands that the statute of Edward was repealed, and that the practice of the ecclesiastical courts in this respect was agreeable to law." Hallam, vol. i. p. 503.

The

14. Julii M.DC.XXXVII. Fidelitur registrater in registro curiæ commissionariorum regiorum ad causas ecclesiasticas facta diligenti collatione per nos

STE. KNIGHT,
JO. CROMPTON.

May it please your lordships.

According to your lordships' order, made in his majesty's court of star-chamber the 12th of May last, we have taken consideration of the particulars, wherein our opinions are required by the said order, and we have all agreed,

That process may issue out of the ecclesiastical courts in the names of the bishops, and that a patent under the great seal is not necessary for the keeping of the said ecclesiastical courts, or for the enabling of citations, suspensions, excommunications, and other censures of the church, and that it is not necessary, that summons, citations, or other process ecclesiastical in the said courts, or institutions or inductions to benefices, or correction of ecclesiastical offences by censure in those courts be in the king's name, or with the style of the king, or under

The measures adopted in the time of archbishop Bancroft (see No. CXXIII.) and now continued by archbishop Laud, for the purpose of extending the authority of ecclesiastical courts at the expense of the courts of common law, had increased and embittered the other contentions of the times, by placing the members of that powerful profession in constant opposition to the church; inducing them, as lord Clarendon observes, "to take all opportunities, uncharitably, to improve mistakes into crimes, and unreasonably transfer and impute the follies and faults of particular men to the malignity of their order and function; and so to whet and sharpen the edge of the law, to wound the church in its jurisdiction, and at last to cut it up by the roots and demolish its foundation." Clarendon, Hist. vol. i. p. 400. See also Rushw. vol. ii. pp. 380. 450. Collier, vol. ii. p. 773. Neal, Purit. vol. i. p. 590. Hallam, vol. i. p. 504. Heylin's Laud, p. 341. Clarendon, vol. i. p. 270. Lingard, vol. vi. p. 320.

the king's seal, or that their seals of office have in them the king's arms, and that the statute of 1 Edward VI. chap. 2. which enacted the contrary, is not now in force.

We are also of opinion, that the bishops, archdeacons, and other ecclesiastical persons may keep their visitations, as usually they have done, without commission under the great seal of England so to do. Primo die Julii M.DC.XXXVII.

John Bramston.	Geo. Croke.
Jo. Finch.	Tho. Trevor.
Humphrey Davenport.	Geo. Vernon.
Will. Jones.	Robert Berkeley.
Jo. Dinham.	Fr. Crawley.
Richard Hutton.	Ric. Weston.

Irrotulatur in memorand. scaccarii, etc. ut supra.
In camera stellata coram concilio ibidem quarto die Julii, anno decimo tertio Caroli regis.

This day was read in court the certificate of the two lords chief justices, the lord chief baron, and other the justices of the courts of king's bench, and common pleas, and barons of the exchequer, made according to an order of reference to them granted the twelfth of May last, upon a motion made in the cause, wherein his majesty's attorney general is plaintiff against John Bastwick, doctor in physic, and other defendants; in which certificate the said judges have declared their opinions in point of law touching the several matters to them referred by the aforesaid order; and the same being so read in court, his majesty's attorney general humbly prayed, that the said certificate may be recorded in this court, and in all other the courts at Westm. and in the high commission and other ecclesiastical courts, for the satisfaction of all men, that the proceedings of the high commission and other ecclesiastical courts are agreeable to the laws and sta-

tutes of the realm; which the court held reasonable, and hath ordered it shall be so, and that after the same is enrolled in this court and other the courts aforesaid, the original certificate of the said judges shall be delivered to the most reverend father in God the lord archbishop of Cant. his grace, to be kept and preserved amongst the records of his court.

M. Goad.

Irrotulatur in memorand. scaccarii etc. ut supra.

CXLVI.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Laud 5.	1637.	Carol. I. 13.

King Charles' letter to the high commissioners to proceed against such as refuse to take the oath, etc.—Reg. Laud. fol. 287. a.

Charles Rex.

MOST reverend father in God, right trusty and right entirely beloved counsellors; right trusty and right well beloved cousins and counsellors; right reverend

King Charles' letter] The oath 'ex officio' was an oath "whereby any person might be obliged to make any presentment of any crime or offence, or to confess or accuse himself of any criminal matter or thing, whereby he might be liable to any censure, penalty, or punishment whatsoever." This process, utterly unknown in the courts of common law, and irreconcilable with the spirit of English jurisprudence, had been employed in ecclesiastical courts on the authority of ancient canons, and was justified on the ground that such inquiries were not taken to be "pœnæ" but "medicinæ," tending to the reformation of the delinquent, and the satisfaction of the church. (Strype, Whitg. vol. iii. p. 235.) This process however, oppressive as it would be considered at all periods, was made most formidable in the year 1583, when queen Elizabeth, on issuing a new high commission, empowered the court to

father in God, right trusty and well beloved; right trusty and well beloved counsellors, and right and well beloved, we greet you well. Whereas we are given to understand, that divers disorderly and refractory persons have been seduced, or withdrawn themselves from their obedience to our ecclesiastical laws into several ways of separation, sects, schisms, and heresies; and being convented for the same, or for other their misdemeanours and enormous offences before you our commissioners for causes ecclesiastical, are grown to that obstinacy and disobedience, that some of them refuse to take their oath, and others being sworn refuse to answer to the articles and matters

administer the oath with penalties for obstinacy or disobedience, and archbishop Whitgift provided twenty-four articles of examination for the service of the court, "so comprehensive as to embrace the whole scope of clerical uniformity, and yet so precise and minute as to leave no room for evasion." The opinion entertained of them at that period may be expressed in the following words of lord Burghley, in a letter written by him to the archbishop, July 15, 1584. "I have read your twenty-four articles, and find them so curiously penned, so full of branches and circumstances, as I think the inquisitors of Spain use not so many questions to comprehend and to trap their prey. It may be the canonists may maintain this proceeding by rules of their laws; but though 'omnia licent,' yet 'omnia non expediunt.' I pray your grace bear that one (perchance a) fault, that I have willed them not to answer these articles, except their conscience may suffer them." (Strype, Whitg. vol. iii. p. 106.) The period was a critical one, owing to the influence of Cartwright and the system of discipline newly established by the nonconformists; and although lord Burghley remonstrated, and the house of commons soon afterwards joined in the remonstrance, the queen would not suffer any alteration to be made in the proceedings of the court. Fresh interrogatories were added, as the altered circumstances of dissent seemed to call for them, and more especially in the year 1590, when the discipline was established as a system in various parts of the kingdom. (Bancroft's Dangerous Positions, p. 91.)

Another important epoch in the history of this oath was in the reign of James I., when archbishop Bancroft endeavoured to extend the authority of the ecclesiastical courts, and met with a powerful antagonist in the person of sir Edward Coke. That able judge in his Institutes, (P. iv. p. 324,) confines the powers of a high commission within very

there objected unto them, or by equivocation, or other undue evasions do not make full and plain answer to the same, as by law they ought; now forasmuch as you our said commissioners for causes ecclesiastical are authorized by our letters patents under our great seal, and that your proceedings are not only and wholly according to the formal manner and terms of the civil or canon laws, but with some relation to the form of proceeding used in our courts of star-chamber, chancery, or courts of requests, and exchequer, wherein defendants and delinquents have always used to answer upon their oaths in causes against themselves, and also to answer interrogatories touching

narrow limits; and in the actual warrant which he was directed to issue, he omitted the power of fining for refusal to take the oath, leaving the commissioners, as lord keeper Williams expressed it, (Cabala, p. 306,) "nothing but the rusty sword of the church, excommunication, to vindicate the authority of the court." He ruled also in the king's bench in the year 1616, after three terms' deliberations, that two persons who had been committed by the commissioners for refusal to take the oath must be delivered, because it was illegal to require any one to accuse himself of the breach of a penal law. (Croke's Reports, P. ii. p. 388. Comp. No. CXXIII.) The oath had originally been employed against Romanists as well as puritans, but with little success in the former case. For "the practice," says Dr. Lingard, "compelled some persons, chiefly among the catholics, to adopt the doctrine of mental reservation." (Hist. vol. v. p. 519.) Dr. Bancroft had stated in the year 1593, (Dangerous Position p. 4,) that they "dallied with their oaths," sheltering themselves under the note given in the Rhemish Testament on the 23rd chap. of the Acts of the Apostles; he also accused the puritans (Survey, &c. p. 249.) of being infected with the same evil principle of the Jesuits.

The increased authority which king Charles conveyed to the court of high commission by his letter of February 1638 was of very short duration. The court was abolished by the long parliament in the year 1641 (Stat. 16. Car. I. c. 11.) and immediately after the restoration of Charles II. it was enacted (Stat. 13 Car. II. c. 12.), that the oath 'ex officio' should never again be administered. Collier, vol. ii. pp. 602. 682. Neal, Purit. vol. i. pp. 271. 342. Strype, Whit. vol. ii. pp. 28–32. Hallam, vol. i. pp. 216. 227. Burn, Eccl. Law, art. Oaths. Blackst. Com. vol. iii. p. 67. Barlow's Conference, 3rd day.

their own contempts and crimes objected to them, which course in those courts is daily practised and held agreeable to the laws and customs of this our realm; therefore for the better regulating of such contemptuous persons in and for their obedience to our ecclesiastical laws, we do hereby declare and signify of our own mere motion, and certain knowledge, and by our supreme power ecclesiastical do order and appoint, that all such persons, as shall be legally called into our high commission court before you our said commissioners, shall and may lawfully by you be enjoined to take their corporal oaths, and by virtue thereof to answer to such articles and interrogatories as shall be there objected against them, being of ecclesiastical cognizance, and within the limits of our said commission by our said letters patents granted unto you our said commissioners; and if any person or persons out of their own perverse will or obstinacy shall either refuse to take such oath before you our said commissioners, or being sworn shall refuse to answer, or not make a full and plain answer to the said articles or interrogatories to them objected, that then after due monition given, and intimation made to the said persons in that behalf, if they shall still continue and persist in this their contumacy, every such person so refusing to be sworn, or being sworn refusing to answer, or not fully and plainly answering to the said articles and interrogatories, shall and may be declared and adjudged by you our said commissioners "pro confesso," and shall be held and had as confessed and convicted legally of all those articles and matters, to which he so refuseth to be sworn, or being sworn shall refuse to answer, or not make full and plain answer as aforesaid: and these our letters shall be a sufficient warrant and discharge in that behalf. Given under our signet at our palace of Westm. the fourth day of February, in the XIIIth year of our reign.

To the most reverend father in God; our right trusty

and right entirely beloved counsellors William, lord archbishop of Cant. primate and metropolitan of all England, and Richard, lord archbishop of York, primate and metropolitan of England, and to the rest of our commissioners of our court of high commission now being, and to all and singular the commissioners of that court that hereafter for the time shall be.

CXLVII.

Sede Cant. vacante. | Anno Christi 1660. | Reg. Angliæ Carol. II. 12.

The king's majesty's most gracious letter and declaration to the bishops, deans, and archdeacons, etc. about the augmentation of small vicarages.—Collated with Wh. Kennet's Case of Impropriations, p. 153.

Charles R.

AS nothing is more in our desires, than to provide that the church of England, under our reign, might be furnished with a religious, learned, sober, modest, and prudent clergy; so we are ready to give encouragement to

The king's majesty's most gracious letter.] "Soon after the restoration a bill was brought into the house of commons for erecting and augmenting of vicarages, and had a first reading, but proceeded no further, having, as is supposed, been superseded and laid aside (at least for that time) in consideration that the ends proposed in it would be in some degree answered by his majesty's letter to the several bishops respectively. And this design was the more practicable at that time by reason of the number and largeness of the fines that were then due. And accordingly many and large augmentations were then made. But the design was not intended barely for augmentations then to be made at that particular time, but also for the making thereof by the same bodies in future times. And to confirm and perpetuate the same the statute 29 Charles II. c. 8. was made." This statute, citing his majesty's letter, and giving it the date of the first day of June, in

to their labours and study in their several degrees and stations, that they may give check to all profaneness and superstition, and as zealously affect to remove all scandals and reproach from them and their callings. Conceiving therefore a competent maintenance to be a necessary encouragement; and that all other persons, who have power to dispose of tithes, may be invited to cherish a learned and godly ministry; we do resolve, that because where tithes have been appointed for the support of bishops, deans, and chapters, collegiate churches and colleges, and other single persons, that have not taken due care to provide and ordain sufficient maintenance for the vicars of their respective places, or for the curates, where vicarages were not endowed; to settle for the future some good addition and increase on such vicarages and curates' places. Our will therefore is, that forthwith provision be made for the augmentation of all such vicarages and cures, where your tithes and profits are appropriated to you and your successors, in such manner, that they who immediately attend upon the performance of ministerial offices in every parish, may have a competent portion of every rectory impropriate to your see [[a]belong-

the twelfth year of his reign, confirms all augmentations made in compliance therewith, and all other augmentations which might thenceforward be made under certain expressed conditions. Burn, Eccl. Law, art. Appropriations. Comp. No. CLVIII. Burnet, Own Times, vol. i. p. 338. Neal, Purit. vol. iii. p. 65. Grey's Examination of Neal, vol. iii. pp. 269–274.

This declaration was issued within two days after king Charles' entry into London, and was intended to mediate between the two parties whose interests were at stake, and who would both have a strong claim upon the sympathy of the nation; as, in conformity with the decision of the long parliament, the impropriations of bishops and of deans and chapters had not been sold, like the rest of the confiscated property, but had been reserved to increase the maintenance of poor ministers. (Ludlow's Mem. vol. i. p. 300.) A committee was appointed by the house of commons to collect and digest materials for a bill on this

[a] Desunt in Kennet.

ing to you or your successors]. And to this end our further will is, that no lease be granted of any rectories or parsonages belonging to your see, belonging to you or your successors, until you shall provide, that the respective vicarages, or curates' places, where are no vicarages endowed, have so much revenue in glebe, tithes, or other emoluments, as will commonly amount to 100*l.* or 80*l.* per annum, or more, if it will bear it, and in good form of law settle it upon them and their successors. And where the rectories are of small value, and cannot admit of such proportions to the vicar and curate; our will is, that one half of the profit of such a rectory be reserved for the maintenance of the vicar or curate, [[b]and if any leases or grants of such forenamed rectories have been made by you since the first day of June last past, and you did not order a competent augmentation of the vicarages and cures in their respective places, that out of the fines, which you have received, or are to receive, you do add such increase to the vicar and curate] as is agreeable to the rate and proportion formerly mentioned. And our further will is, that you do employ your authority and power, which by law belongeth to you as ordinary, for the augmentation of vicarages and stipends of curates, and that you do with diligence proceed in due form of law for the raising and establishing convenient maintenance

perplexing question, but having sat for a considerable length of time without making effectual progress, it was found to be inadequate to its purpose. On the 7th of August 1660, a royal message was delivered to the house, communicating his majesty's declaration to the bishops; and it was accordingly resolved, that a bill should be drawn up immediately, reciting the substance of the declaration, and containing provisions for carrying it into effect. It appears however that nothing was done till the year 1677; when the statute 29 Charles II. c. 8. was passed; and even that statute did nothing more than confirm and perpetuate the arrangements that were made voluntarily by the parties concerned. Commons' Journals. Tanner MSS. vol. lxxxix. p. 248.

[b] Desunt in Kennet.

for those, who attend holy duties in parish churches. And if any prebendary in any church (the corps of whose prebend consists of tithes) shall not observe these our commands, then we require you, or the dean of the church, to use all due means in law, where you or he hath power, to compel them; or that otherwise you report to the bishop of the diocese, where the said corps doth lie, that he may interpose his authority for fulfilling this our order. And if any dean, or dean and chapter, or any that holdeth any dignity or prebend in the cathedral church, do not observe these our commands, that you call them before you, and see this our will be obeyed. And if you or any bishop do not your duty, either in their own grants, or seeing others to do it, then we will, that upon complaint, the archbishop of the province see all performed according to this our declaration, will, and pleasure. And whereas there are divers rural prebends, where the vicarages are not sufficiently endowed, we require you to see these our commands fully to be observed by them. And we do declare our will and pleasure in all the particulars forecited to be, that if you or any of your successors, or dean, or dean and chapter of that our cathedral church, or any other person holding any office, benefice, or prebend in the same, do or shall refuse or omit to observe these our commands, we shall judge them unworthy of our future favour, whensoever any preferment ecclesiastical shall be desired by them from us. And lastly, our will and command is, that you or your successors do, at or before the first day of October in every year, render an account to the archbishop of [c Canterbury] how these our orders and commands are observed, that the archbishop afterwards may represent the same unto us.

By his majesty's command,

EDWARD NICHOLAS.

c Deest in Kennet.

CXLVIII.

Archiepisc. Cant. Guil. Juxon p. | Anno Christi 1660. | Reg. Angliæ Carol. II. 12.

His majesty's gracious commission to search into and examine the pretended sales and purchases of the honours, manors, lands, and hereditaments of and belonging to his majesty, his royal mother, the archbishops, bishops, deans, and chapters, prebends, and other ecclesiastical persons; giving such powers and authorities as is necessary for the ends, intents, and purposes in and by the said commission specified and expressed.

CHARLES the Second, by the grace of God king of England, Scotland, France, and Ireland, defender of the faith, etc. to our trusty and right well beloved counsellor Edward lord Hyde, lord chancellor of England; and to our right trusty and right well beloved

His majesty's gracious commission] One of the first and the most embarassing of the questions that offered themselves to the legislature on the restoration of king Charles II. was the arrangement to be made between the purchasers of confiscated estates and the crown or the church, to which they had originally belonged. They had been sold by authority of the long parliament in and about the year 1649; and the purchasers of them could urge in their own favour not only whatever plea of right such an authority could give them, but also the fact that in most instances the full value had been paid for the estates, the prices amounting generally to the clear income of 15, 16, and 17 years. (Ludlow's Mem. vol. i. p. 299.) But it soon appeared from the progress of the debates that the property of the crown was to be restored without reserve or limitation; and the property of the church, although the dignitaries themselves would have readily entered into some amicable adjustment, was connected with so many interests and difficulties, that the house of commons was not able to come to any arrangement respecting it before their adjournment on the 13th of September 1660. On that day, in compliance with their request that a royal commission might be appointed for the purpose, his majesty

cousins and counsellors Thomas earl of Southampton, lord treasurer of England, and the lord chancellor, lord high treasurer of England, and the chancellor of the exchequer for the time being; and to our right trusty and entirely beloved cousin and counsellor George duke of Albemarle; and to our right trusty and right well beloved cousins and counsellors James marquess of Ormond, steward of our household, Edward earl of Manchester, chamberlain of our household; and to our right trusty and right well beloved cousin Jerome earl of Portland, and to our right trusty and well beloved counsellor John lord Roberts, and to our right trusty and well beloved John lord Finch, Francis lord Seymour, chancellor of our duchy of Lancaster, and to the chancellor of our duchy of Lancaster for the time being, John lord Lucas; and to our trusty and well beloved counsellors Denzill Hollis esquire, sir Edward Nicholas, and sir William Morris, knights, our principal secretaries of state,

informed the two houses, that he "had not been without much thought upon the argument, and had done much towards the accommodation of many particular persons; and that he would put the business into such a way of dispatch that they should find a good progress made in it before their coming together again." (Commons' Journals.) It is clear that the king's government had determined to put the business into the hands of commissioners appointed by themselves, having seen that it was a matter of too many details to be directed by an act of parliament, and that the royal commission, already employed in deciding on similar claims in the two universities, had provided them with a good precedent for their purpose. This commission accordingly was issued on the 7th of October, and the parliament met, after its adjournment, on the 6th of November, and was dissolved at the end of the following month. It had become evident in the mean time that the prevailing opinion in places of influence was in favour of the unconditional restoration of all confiscated estates; and that the convention parliament, which had too much of the republican leaven within it, would be succeeded by one altogether royalist. Clarend. Life, vol. ii. p. 7. Wood's Ann. an. 1660. Neal, Purit. vol. iii. p. 41. Hallam, vol. ii. p. 170. Lingard, vol. vii. p. 359.

sir Anthony Ashly Cooper baronet, Arthur Annesley esquire; and to our trusty and well beloved sir Robert Foster knight, chief justice of our bench, sir Orlando Bridgeman knight and baronet, lord chief justice of our court of Common Pleas, sir Robert Hyde knight, one other of the justices of our said court of Common Pleas, sir Edward Atkins, and sir Christopher Turner knights, two of the barons of our court of Exchequer, and to the barons of our Exchequer for the time being, sir Jeoffry Palmer knight and baronet, our attorney general, sir Heneage Finch knight and baronet, our solicitor general, sir Charles Harbord knight, our surveyor general, and to our attorney, solicitor, and surveyor general for the time being; sir Edward Turner, sir Allan Broderick, knights, Samuel Brown, and Matthew Hale, serjeants at law, John Crewe, esquire, Richard Kinsman, one of the auditors of our revenue, Job Charleton serjeant at law, Thomas Beverley esquire, Francis Phillips, and Richard Newman esquires. As it is our duty to be ever mindful of the great mercies of Almighty God vouchsafed to us and our late oppressed people, in restoring us to the exercise of our royal authority by a calm and miraculous hand of divine Providence, thereby delivering them from the violence and tyranny of the late usurped powers to the peaceable enjoyments of their ancient rights established by the known laws of this nation; so we have been most careful to pursue our declaration made before our return from beyond the seas, in securing the lives, liberties, and estates of our good subjects, by passing an act of general pardon, and such other acts as have been tendered unto us by our parliament, whereby we hope we have given a general satisfaction to them, as we have received much comfort and contentment in their expressions of their affections to us and our government. And albeit by the vote of our commons, as by the order of the parliament assembled, we have been restored to the im-

mediate possession of our lands, and might in justice as well as divers of our subjects, have entered and taken the profits thereof from the four and twentieth day of June last; yet that it may appear how really we intend to perform all our gracious promises and professions made to the officers and soldiers of our army, who did correspond or join with our said general, or sir George Booth, in their design towards our happy restoration, and to such other of our subjects, as have been induced to purchase and to possess any of our said lands, or those of the jointure of our dear mother the queen, or any of the lands or possessions of any archbishop, bishop, dean and chapter, prebend, or other ecclesiastical person, we were graciously pleased to accept the humble petition of the said officers and soldiers, presented unto us in July last, and to commend the same to the commissioners of our treasury, as we have since done to our high treasurer of England, who have authorized our surveyor general to receive such particulars of our lands purchased and claimed by the said officers and soldiers, to their own uses and not in trust for others, as they should tender under their hands, and thereupon to keep them in the quiet possession of the same without account (which hath been duly observed) until we should be informed of the true states of their several interests, and should thereupon declare our further pleasure touching their satisfaction. And we were also graciously pleased to accept of another petition presented unto us, in the names of all the purchasers of our lands, together with certain proposals touching the same, which by advice of our privy council we did refer to the consideration of our chief baron, and other the barons of our court of Exchequer, and our surveyor general, who taking the same into serious consideration, did represent unto us, and our said council, the various natures of the said purchases, and that it will require much time and industry to examine and consider the particular

interests of the several purchasers, before it will be possible to make any report upon their said petition and proposals fit for our judgment therein. Whereupon we were pleased, and did command that our said surveyor general should allow unto them all their arrears of rents due before the four and twentieth day of June last to their own use without account, and the Michaelmas rent also since due upon such security, as he should think reasonable to be answerable for the same, which hath been accordingly pursued by him as we commanded, and we do hereby ratify and confirm the same. Now to the end that we may leave nothing undone, which honour and justice can require at our hands, for the establishment of the just rights and interests of all persons, and quiet their minds, and reconcile their affections, which the injury of the late times of change, and absolute, arbitrary power, had corrupted and alienated from us, and divided amongst themselves; we have thought fit to issue this our commission, and do therefore hereby require, and authorize you the said Edward lord Hyde, Thomas earl of Southampton, the lord chancellor, lord treasurer of England, and the chancellor of the exchequer for the time being, George duke of Albemarle, James marquess of Ormond, Edward earl of Manchester, Jerome earl of Portland, John lord Roberts, John lord Finch, Francis lord Seymour, chancellor of our duchy of Lancaster, and the chancellor of our duchy of Lancaster for the time being, John lord Lucas, Denzill Hollis, sir Edward Nicholas, sir Will. Morris, sir Anthony Ashly Cooper, Arthur Annesley, sir Robert Foster, sir Orlando Bridgeman, sir Robert Hyde, sir Edward Atkins, sir Christ. Turner, barons of the exchequer for the time being, sir Jeoffry Palmer, sir Heneage Finch, sir Charles Harbord, our attorney, solicitor, and surveyor general for the time being, sir Edward Turner, sir Allen Brodrick, Matthew Hale, Samuel Brown, John Crewe, Richard

Kinsman, Job Charleton, Thomas Beverly, Francis Phillips, and Richard Newman, to be our commissioners for and touching the premises, hereby giving and granting unto you, or any five or more of you, full power and authority to call, and cause to appear before you, as well the said officers and soldiers, and all other persons, who have purchased, or do claim any of the said lands of us, or of the jointure of our dear mother, or of any the said archbishops, bishops, deans and chapters, prebends, and other ecclesiastical persons whatsoever, and every or any of them, as also the officers, servants, or agents of the said archbishops, bishops, deans and chapters, prebends, or other ecclesiastical persons, all or any of them, by your good discretion; and to inquire and inform yourselves, or by such other lawful ways or means, as you in your discretion shall think meet, which of the said lands, honours, manors, lordships, castles, parks, chases, forests, houses, timber trees, woods, underwoods, mills, mines, fee-farm rents, or other rents, or hereditaments, leases, or farms were sold, given, or granted by or under the late pretended parliament, or usurped power or authority; and to inquire and find out the true value of the said lands, honours, manors, lordships, castles, parks, chases, forests, timber trees, woods, underwoods, mills, mines, fee-farm rents, or other rents or hereditaments, leases, or farms, as the same were then worth by the year, or otherwise by your judgments and discretion, and how much ready money was then, or at any time since really, and "bona fide" paid for the same, and how much in true bills and debentures, as they were then worth in ready money, and whether any bills or debentures, which have been allowed upon any of the said sales or purchases, were counterfeited or altered in part, or in all, and by whom the same were done, and to what value and proportion, and how far the same have been discovered, and when, and by whom, and in what manner; and what profits or sums of money have been

raised or made by any of the purchasers, or possessors, or pretended owners of any the said lands or other premises so sold or given as aforesaid, or any part thereof, by after sales or exchanges of land, or by sale of woods, or timber, or by ploughing up or improving the same lands, or any other part of the premises, or by sale of any iron, stone, lead, timber, or other materials of churches, chapels, or other houses that have been pulled down, altered, or defaced, or by the receipts, or rents, or by any ways or means whatsoever, and when, and by whom, and for whose use and benefit the same have been so raised or made. And to inquire and find out which of the purchases of any of the said lands or premises were made by the tenants themselves to preserve their houses, tenuaries, lands, woods, or estates from waste and injury, and which of them were made by others for gain and advantage, and when and by whom the same was done, and what profit, gain, or advantage hath been made thereby; and to inquire and find out what damage or danger hath accrued or may arise to us and these our kingdoms by the destruction or waste of timber trees from off any the premises that were serviceable for our navy, or otherwise; and to inquire which of the said purchasers or late pretended owners of any of the said lands or premises have relinquished or offered up the same unto us, or any of the said ecclesiastical persons, or shall yield up the same unto you for our use, or for the use of any of the said ecclesiastical persons, or any of them; and also to inquire and find out all other things which you in your discretion shall think meet for your perfect information in and touching the premises. And thereupon you are to proceed and compose all differences arising between the said archbishops, bishops, deans and chapters, prebends, and other ecclesiastical persons, and the said purchasers or pretended owners, and thereupon to make orders and agreements between them in writing under your hands

and seals, and in such manner as you in your discretion shall find just and reasonable with their consents; and in case of refusal or disagreement on either part, then you are forthwith to certify the same unto us, and our council, whereupon you shall receive such further order therein as shall be meet: and you are then also to propose unto the said officers and soldiers, and other purchasers of our own lands such satisfaction for and in respect of their several pretended interests in the same, as upon consideration of their several interests, you shall think fit to advise in that behalf, and thereof you shall certify us with all convenient speed. And for your better information and proceeding in the premises, we do hereby will and authorize you to send for and convene before you all such treasurers, receivers, accountants, registers, witnesses, clerks, officers and other persons as you shall think fit, and to examine all or any of them upon their corporal oaths to be administered unto them, or any of them by your discretion, and to send for and peruse all such books of account, register books, surveys and other writings, as you shall think meet for your better discovery and finding out of the truth in all things touching the premises, and what monies have been raised by the said sales, and to whom the same hath been paid, and how the same hath been accounted for and disposed of, and how much remains in the treasurers', receivers', or accountants' hands, or any others', and how long it hath remained. And we do also hereby will and authorize you, to inquire by the oaths of good and lawful men of every county, city, or privileged place, wherein the said lands and premises or any of them do lie, of all things comprehended in this our commission: hereby willing and commanding all our sheriffs, mayors, bailiffs, and all other officers and ministers, whom it may concern, upon your precepts and warrants to return good and sufficient jurors for the better inquiry and finding out of the truth

of the premises, and to be obedient, aiding, and assisting unto you in all things, tending to the execution of this our commission. And whatsoever you, or any five, or more of you shall do or cause to be done in or about the premises, we do hereby ratify, confirm, and approve of. And our will and pleasure is, and we do hereby require the said archbishops, bishops, deans and chapters, prebends, and other ecclesiastical persons by themselves or by other persons sufficiently authorized by them to appear before you, when they shall be so required, to the end that your mediation and interposition may be the more effectual; we in no wise doubting of their readiness to comply with us in the end of this our commission, and that they will accept such reasonable conditions, as shall be tendered to them by you on the behalf of such as have been purchasers of any lands held from them or their respective churches, according to the several considerations of the persons and their interests, and that they will do no act to the prejudice of any purchasers, by granting any new or concurrent leases, whereby their present interest or possession may be hurt or disturbed, whilst the same is under your deliberation, and until our pleasure be further known. In witness whereof we have caused these our letters to be made patents. Witness ourself at Westminster the seventh day of October, in the twelfth year of our reign.

CXLIX.

Archiepisc. Cant. GUIL. JUXON 1. | Anno Christi 1660. | Reg. Angliæ CAROL. II. 12.

His majesty's declaration to all his loving subjects of his kingdom of England and dominion of Wales, concerning ecclesiastical affairs.

CHARLES REX.

HOW much the peace of the state is concerned in the peace of the church, and how difficult a thing it is to preserve order and government in civil, whilst there is no order or government in ecclesiastical affairs, is evident to the world; and this little part of the world, our own dominions, hath had so late experience of it, that we may very well acquiesce in the conclusion, without enlarging ourself in discourse upon it, it being a subject we have

His majesty's declaration] When the convention-parliament was adjourned on the 13th of September 1660, the lord chancellor [Clarendon] in the course of his speech gave the following notice: "This disquisition [respecting religion] hath cost the king many a sigh, many a sad hour, when he hath considered the almost irreparable reproach the protestant religion hath undergone, from the divisions and distractions which have been so notorious within this kingdom. What pains he hath taken to compose them, after several discourses with learned and pious men of different persuasions, you will shortly see by a Declaration he will publish upon that occasion: by which you will see his great indulgence to those who can have any pretension from conscience to differ with their brethren." The declaration was issued on the 25th of October; and on the 6th of November, the day on which the parliament assembled after its adjournment, a committee of the house of commons was appointed, with sir Matthew Hale at its head, to bring in a bill for the purpose of making his majesty's gracious declaration effectual. A bill was consequently brought in, and was ordered to be read on the 22nd of the same month; but on that day the king sent down a message, announcing his intention to dissolve the parliament in the next

had frequent occasion to contemplate upon, and to lament, abroad as well as at home.

In our letter to the speaker of the house of commons from Breda we declared how much we desired the advancement and propagation of the protestant religion; that "neither the unkindness of those of the same faith towards us, nor the civilities and obligations from those of a contrary profession (of both which we have had abundant evidence) could in the least degree startle us, or make us swerve from it, and that nothing can be proposed to manifest our zeal and affection for it, to which we will not readily consent;" and we said then, "that we did hope in due time, ourself to propose somewhat for the propagation of it, that will satisfy the world, that we have always made it both our care and our study, and have enough observed what is most like to bring disadvantage to it." And the truth is, we do think ourself the more competent to propose, and with God's assistance to determine many things now in difference, from the time we have spent, and the experience we have had in most of

month, and a few days afterwards it was determined, on a division, to proceed no further in the business. It was probably the wish of his majesty's government to delay the consideration of ecclesiastical matters, not so much because the acts of the convention-parliament would require confirmation afterwards, as because the ancient institutions of the church were more likely to meet with favour and protection from any future parliament. The declaration itself, drawn up originally by lord Clarendon, was revised by bishops Morley and Henchman for the church, and Reynolds and Calamy for the dissenters, with the lords Anglesea and Hollis as referees (Baxter's Life, p. 151); and there certainly was at this period a strong disposition among the clergy in favour of moderate measures, occasioned partly by an earnest wish for peace and union, and partly by the circulation of such works as archbishop Usher's Reduction of Episcopacy, and Stillingfleet's Irenicum. But the royalists in general, and more especially those who had resided on the continent, were opposed to any deviation from the ancient model of church government. Lord Clarendon (Life, vol. i. p. 483.) clearly foresaw that the king could not act upon the terms of the declaration;

the reformed churches abroad, in France, in the Low Countries, and in Germany, where we have had frequent conferences with the most learned men, who have unanimously lamented the great reproach the protestant religion undergoes from the distempers and too notorious schisms in matters of religion in England: and as the most learned amongst them have always with great submission and reverence acknowledged and magnified the established government of the church of England, and the great countenance and shelter the protestant religion received from it, before these unhappy times; so many of them have with great ingenuity and sorrow confessed, that they were too easily misled by misinformation and prejudice into some disesteem of it, as if it had too much complied with the church of Rome; whereas they now acknowledge it to be the best fence God hath yet raised against popery in the world; and we are persuaded they do with great zeal wish it restored to its old dignity and veneration.

When we were in Holland, we were attended by many grave and learned ministers from hence, who were looked

one of the secretaries of state is said to have voted in the house of commons against its passing into a law; and in the following parliament, in which the royalists greatly prevailed, an act of uniformity was passed (13 and 14 Charles II. c. 4.) which put an end to all projects of comprehension. Whether the king's government had foreseen and provided from the first, that such should be the issue of the matter, and had dissembled with the presbyterian party, or were originally sincere in their promises, and had afterwards discovered the impossibility of carrying them into effect, is a question on which, as strong evidence may be produced on each side, it is not necessary to pronounce a judgment. It is manifest, however, from the reference made to synods and acts of parliament, that the arrangements and concessions of the declaration were, in themselves, only conditional and temporary, whatever might be the designs of his majesty's government. Commons' Journals. Kennet's Register, p. 209. Neal, Purit. vol. iii. p. 58. Burnet's Own Times, vol. i. p. 322. Bates' Sermon on Baxter. Collier, vol. ii. p. 873. Hallam, vol. ii. p. 182. Lingard, vol. vii. p. 362.

upon as the most able and principal assertors of the presbyterian opinions; with whom we had as much conference, as the multitude of affairs which were then upon us would permit us to have, and to our great satisfaction and comfort found them persons full of affection to us, of zeal for the peace of the church and state, and neither enemies, as they have been given out to be, to episcopacy, or liturgy, but modestly to desire such alterations in either, as without shaking foundations, might best allay the present distempers, which the indisposition of the time, and the tenderness of some men's consciences had contracted. For the better doing whereof, we did intend, upon our first arrival in this kingdom, to call a synod of divines, as the most proper expedient to provide a proper remedy for all those differences and dissatisfactions which had or should arise in matters of religion; and in the mean time, we published in our declaration from Breda, "a liberty to tender consciences, and that no man should be disquieted or called in question for differences of opinion in matter of religion, which do not disturb the peace of the kingdom; and that we shall be ready to consent to such an act of parliament, as upon mature deliberation shall be offered to us, for the full granting that indulgence."

Whilst we continued in this temper of mind and resolution, and have so far complied with the persuasion of particular persons, and the distemper of the time, as to be contented with the exercise of our religion in our own chapel, according to the constant practice and laws established, without enjoining that practice, and the observation of those laws in the churches of the kingdom; in which we have undergone the censure of many, as if we were without that zeal for the church which we ought to have, and which by God's grace we shall always retain; we have found ourself not so candidly dealt with as we have deserved, and that there are unquiet and

restless spirits, who without abating any of their own distemper in recompense of the moderation they find in us, continue their bitterness against the church, and endeavour to raise jealousies of us, and to lessen our reputation by their reproaches, as if we were not true to the professions we have made: and in order thereunto, they have very unseasonably caused to be printed, published, and dispersed throughout the kingdom a declaration heretofore printed [a] in our name during the time of our being in Scotland, of which we shall say no more than that the circumstances, by which we were enforced to sign that declaration, are enough known to the world; and that the worthiest and greatest part of that nation did even then detest and abhor the ill usage of us in that particular, when the same tyranny was exercised there by the power of a few ill men, which at that time had spread itself over this kingdom; and therefore we had no reason to expect that we should at this season, when we are doing all we can to wipe out the memory of all that hath been done amiss by other men, and we thank God, have wiped it out of our own remembrance, have been ourself assaulted with those reproaches, which we will likewise forget.

Since the printing this declaration, several seditious pamphlets and queries have been published and scattered abroad to infuse dislike and jealousies into the hearts of the people, and of the army; and some who ought rather to have repented the former mischief they have wrought, than to have endeavoured to improve it, have had the hardiness to publish, that the doctrine of the church, against which no man, with whom we have conferred,

[a] *a declaration heretofore printed*] The declaration issued in August 1650, in which the king embraced the covenant, condemned the wicked measures of his father, lamented his mother's idolatry, and abjured all popery, superstition, prelacy, heresy, schism, and profaneness.

hath excepted, ought to be reformed as well as the discipline.

This over passionate and turbulent way of proceeding, and the impatience we find in many for some speedy determination in these matters, whereby the minds of men may be composed, and the peace of the church established, hath prevailed with us to invert the method we had proposed to ourself, and even in order to the better calling and composing of a synod (which the present jealousies will hardly agree upon) by the assistance of God's blessed Spirit which we daily invoke and supplicate, to give some determination ourself to the matters in difference, until such a synod may be called as may without passion or prejudice give us such further assistance towards a perfect union of affections, as well as submission to authority, as is necessary: and we are the rather induced to take this upon us, by finding upon the full conference we have had with the learned men of several persuasions, that the mischiefs, under which both the church and state do at present suffer, do not result from any formed doctrine or conclusion which either party maintains or avows, but from the passion, and appetite, and interest of particular persons, who contract greater prejudice to each other from those affections, than would naturally rise from their opinions; and those distempers must be in some degree allayed, before the meeting in a synod can be attended with better success, than their meeting in other places, and their discourses in pulpits have hitherto been; and till all thoughts of victory are laid aside, the humble and necessary thoughts for the vindication of truth cannot be enough entertained.

We must for the honour of all those of either persuasion, with whom we have conferred, declare, that the professions and desires of all[b] for the advancement of piety

[b] *the professions and desires of all*] "The king treated them [the

and true godliness are the same; their professions of zeal for the peace of the church the same; of affection and duty to us the same: they all approve episcopacy; they all approve a set form of liturgy; and they all disprove and dislike the sin of sacrilege, and the alienation of the revenue of the church; and if upon these excellent foundations, in submission to which there is such a harmony of affections, any superstructures should be raised, to the shaking those foundations, and to the contracting and lessening the blessed gift of charity, which is a vital part of Christian religion, we shall think ourself very unfortunate, and even suspect that we are defective in that administration of government with which God hath entrusted us.

We need not profess the high affection and esteem we have for the church of England as it is established by law, the reverence to which hath supported us with God's blessing against many temptations; nor do we think that reverence in the least degree diminished by our condescensions, not peremptorily to insist on some particulars of ceremony, which however introduced by the piety, and devotion, and order of former times, may not be so agreeable to the present, but may even lessen that piety and devotion, for the improvement whereof they might happily be first introduced, and consequently may well be dispensed with; and we hope this charitable compliance of ours will dispose the minds of all men to a cheerful submission to that authority, the preservation whereof is so necessary for the unity and peace of the church; and that they will acknowledge the support of

nonconformist ministers] very respectfully, and renewed his professions of his earnest desires of an accommodation of the differences; told them he was well pleased that they were for a liturgy, and yielded to the essence of episcopacy; and promised them that the places where the old incumbents were dead, should according to their desire be confirmed to the possessors." Baxter's Life, p. 143.

the episcopal authority to be the best support of religion, by being the best means to contain the minds of men within the rules of government: and they who would restrain the exercise of that holy function within the rules, which were observed in the primitive times, must remember and consider that the ecclesiastical power being in those blessed times always subordinate and subject to the civil, it was likewise proportioned to such an extent of jurisdiction, as was most agreeable to that; and as the sanctity, and simplicity, and resignation of that age did then refer many things to the bishops, which the policy of succeeding ages would not admit, at least did otherwise provide for, so it can be no reproach to primitive episcopacy, if where there have been great alterations in the civil government, from what was then, there have been likewise some difference and alteration in the ecclesiastical, the essence and foundation being still preserved. And upon this ground, without taking upon us to censure the government of the church in other countries, where the government of the state is different from what it is here, or enlarging ourself upon the reasons why, whilst there was an imagination of erecting a democratical government here in the state, they should be willing to continue an aristocratical government in the church, it shall suffice to say, that since by the wonderful blessing of God the hearts of this whole nation are returned to an obedience to monarchic government in the state, it must be very reasonable to support that government in the church, which is established by law, and with which the monarchy hath flourished through so many ages, and which is in truth as ancient in this island as the Christian monarchy thereof, and which hath always in some respects or degrees been enlarged or restrained, as hath been thought most conducing to the peace and happiness of the kingdom; and therefore we have not the least doubt, but that the present bishops will think the

present concessions now made by us to allay the present distempers, very just and reasonable, and will very cheerfully conform themselves thereunto.

I. We do in the first place declare our purpose and resolution is and shall be to promote the power of godliness, to encourage the exercises of religion both public and private, and to take care that the Lord's day be applied to holy exercises, without unnecessary divertisements; and that insufficient, negligent, and scandalous ministers be not permitted in the church; and that as the present bishops are known to be men of great and exemplary piety in their lives, which they have manifested in their notorious and unexampled sufferings during these late distempers, and of great and known sufficiency of learning, so we shall take special care, by the assistance of God, to prefer no men to that office and charge, but men of learning, virtue, and piety, who may be themselves the best examples to those who are to be governed by them; and we shall expect and provide the best we can, that the bishops be frequent preachers, and that they do very often preach themselves in some church of their diocese, except they be hindered by sickness, or other bodily infirmities, or some other justifiable occasion, which shall not be thought justifiable if it be frequent.

II. Because the dioceses [c], especially some of them, are

[c] II. *Because the dioceses*] "About discipline," says Baxter, "we designedly adhered to bishop Usher's model, without a word of alteration; that so they might have less to say against our offers as being our own; and that the world might see that it was episcopacy itself which they refused; and that we pleaded not at all with them for presbytery, unless a moderate episcopacy be presbytery." Kennet, Reg. p. 195. The point at issue however was of great importance with reference to a controversy which had been much agitated in the church. Archbishop Usher's plan of a diocesan synod was, that it should consist of the suffragans and the rest of the incumbents, or a certain portion of them, "with whose consent, or the major part of them, all things might be concluded by the bishop or superintendant (call him whether you will),

thought to be of too large extent, we will appoint such a number of suffragan bishops in every diocese, as shall be sufficient for the due performance of their work.

III. No bishop shall ordain or exercise any part of jurisdiction which appertains to the censures of the church, without the advice and assistance of the presbyters; and no chancellors, commissaries, or officials, as such, shall exercise any act of spiritual jurisdiction in these cases, viz. excommunication, absolution, or wherein any of the ministry are concerned, with reference to their pastoral charge. However our intent and meaning is to uphold and maintain the profession of the civil law so far and in such matters, as it hath been of use and practice within our kingdoms and dominions; albeit as to excommunication, our will and pleasure is, that no chancellor, commissary, or official shall decree any sentence of excommunication, or absolution, or be judges in those things wherein any of the ministry are concerned, as is aforesaid. Nor shall the archdeacon exercise any jurisdiction without the advice and assistance of six ministers of his archdeaconry, whereof three to be nominated by the bishop, and three by the election of the major part of the presbyters within the archdeaconry.

IV. To the end that the deans and chapters may be the better fitted to afford counsel and assistance to the bishops, both in ordination and the other offices mentioned before, we will take care that those preferments be given to the most learned and pious presbyters of the

or in his absence by one of the suffragans whom he shall depute to be moderator in his stead." This model could not be adopted by any persons who held the doctrine respecting episcopacy which had been first brought into notice by Dr. Bancroft (see No. CII.) and had more recently been enforced by Dr. Joseph Hall, then bishop of Exeter, in his "Episcopacie by divine right asserted;" who maintained that "the imparity of government and episcopal jurisdiction was founded by Christ and erected by his apostles, both by their practice and recommendation." (p. 91. edit. 4to. 1640)

diocese; and moreover, that an equal number (to those of the chapter) of the most learned, pious, and discreet presbyters of the same diocese annually chosen by the major vote of all the presbyters of that diocese present at such elections, shall be always advising and assisting, together with those of the chapter, in all ordinations, and in every part of jurisdiction, which appertains to the censures of the church, and at all other solemn and important actions in the exercise of the ecclesiastical jurisdiction, wherein any of the ministry are concerned: provided that at all such meetings the number of the ministers so elected, and those present of the chapter shall be equal, and not exceed one the other, and that to make the numbers equal, the juniors of the exceeding number be withdrawn, that the most ancient may take place; nor shall any suffragan bishop ordain or exercise the forementioned offices and acts of spiritual jurisdiction, but with the advice and assistance of a sufficient number of the most judicious and pious presbyters annually chosen as aforesaid within his precincts: and our will is that the great work of ordination be constantly and solemnly performed by the bishop and his aforesaid presbytery, at the four set times and seasons appointed by the church for that purpose.

V. We will take care that confirmation be rightly and solemnly performed, by the information and with the consent of the minister of the place; who shall admit none to the Lord's supper, till they have made a credible profession of their faith, and promised obedience to the will of God, according as is expressed in the considerations of the rubric before the Catechism: and that all possible diligence be used for the instruction and reformation of scandalous offenders, whom the minister shall not suffer to partake of the Lord's table, until they have openly declared themselves to have truly repented and amended their former naughty lives, as is partly ex-

pressed in the rubric, and more fully in the canons; provided there be place for due appeals to superior powers. But besides the suffragans and their presbytery, every rural dean (those deans, as heretofore, to be nominated by the bishop of the diocese) together with three or four ministers of that deanery, chosen by the major part of all the ministers within the same, shall meet once in every month, to receive such complaints, as shall be presented to them by the ministers or churchwardens of the respective parishes; and also to compose all such differences betwixt party and party, as shall be referred unto them by way of arbitration, and to convince offenders, and reform all such things, as they find amiss, by their pastoral reproofs and admonitions, if they may be so reformed; and such matters as they cannot by this pastoral and persuasive way compose and reform, are by them to be prepared for, and presented to the bishop; at which meeting any other ministers of that deanery may, if they please, be present and assist. Moreover, the rural dean and his assistants are in their respective divisions to see, that the children and younger sort be carefully instructed by the respective ministers of every parish, in the grounds of Christian religion, and be able to give a good account of their faith and knowledge, and also of their Christian conversation conformable thereunto, before they be confirmed by the bishop, or admitted to the sacrament of the Lord's supper.

VI. No bishop shall exercise any arbitrary power, or do or impose any thing upon the clergy or the people, but what is according to the known law of the land.

VII. We are very glad[d] to find, that all with whom we

[d] *VII. We are very glad*] It appears that in the first instance the declaration contained a statement in favour of the Liturgy to the following effect: "The king declared his own constant practice of the Common Prayer; and that he would take it well from those who used it in their churches, that the common people might be again acquainted

have conferred, do in their judgments approve a liturgy, or set form of public worship to be lawful; which in our judgment for the preservation of unity and uniformity we conceive to be very necessary: and though we do esteem the liturgy of the church of England, contained in the book of Common Prayer, and by law established, to be the best we have seen; and we believe that we have seen all that are extant and used in this part of the world, and well know what reverence most of the reformed churches, or at least the most learned men in those churches have for it; yet since we find some exceptions made against several things therein, we will appoint an equal number of learned divines of both persuasions, to review the same, and to make such alterations as shall be thought most necessary, and some additional forms (in the scripture phrase as near as may be) suited unto the nature of the several parts of worship, and that it be left to the minister's choice to use one or other at his discretion. In the mean time, and till this be done, although we do heartily wish and desire, that the ministers in their several churches, because they dislike some clauses and expressions, would not totally lay aside the use of the book of Common Prayer, but read those parts, against which there can be no exception; which would be the best instance of declining those marks of distinction, which we so much labour and desire to remove; yet in compassion to divers of our good subjects, who scruple the use of it as now it is, our will and pleasure is, that none be punished or troubled for not using it, until it be reviewed, and effectually reformed, as aforesaid.

VIII. Lastly, Concerning ceremonies, which have ad-

with the piety, gravity, and devotion of it; and which he thought would facilitate their living in a good neighbourhood together." Lord Clarendon charges the nonconformists with having induced the king to omit this clause by means of false protestations. See Life, vol. i. p. 481.

ministered so much matter of difference and contention, and which have been introduced by the wisdom and authority of the church, for edification, and the improvement of piety, we shall say no more, but that we have the more esteem of all, and reverence for many of them, by having been present in many of those churches, where they are most abolished, or discountenanced; and it cannot be doubted, but that as the universal church cannot introduce one ceremony in the worship of God, that is contrary to God's word expressed in the scripture, so every national church, with the approbation and consent of the sovereign power, may, and hath always introduced such particular ceremonies, as in that conjuncture of time are thought most proper for edification and the necessary improvement of piety and devotion in the people, though the necessary practice thereof cannot be deduced from scripture; and that which before was, and in itself is indifferent, ceases to be indifferent, after it is once established by law: and therefore our present consideration and work is to gratify the private consciences of those, who are grieved with the use of some ceremonies, by indulging to and dispensing with their omitting those ceremonies, not utterly to abolish any which are established by law, (if any are practised contrary to law, the same shall cease,) which would be unjust, and of ill example; and to impose upon the conscience of some, for the satisfaction of the conscience of others, which is otherwise provided for. As it could not be reasonable that men should expect, that we should ourself decline, or enjoin others to do so, to receive the blessed sacrament upon our knees, which in our conscience is the most humble, most devout, and most agreeable posture for that holy duty, because some other men, upon reasons best, if not only, known to themselves, choose rather to do it sitting or standing; we shall leave all decisions and determinations of that kind, if they shall

be thought necessary for a perfect and entire unity and uniformity throughout the nation, to the advice of a national synod, which shall be duly called after a little time, and a mutual conversation between persons of different persuasions hath mollified those distempers, abated those sharpnesses, and extinguished those jealousies, which make men unfit for those consultations; and upon such advice, we shall use our best endeavour, that such laws may be established, as may best provide for the peace of the church and state. Provided that none shall be denied the sacrament of the Lord's supper, though they do not use the gesture of kneeling in the act of receiving.

In the mean time, out of compassion and compliance towards those, who would forbear the cross in baptism, we are content that no man shall be compelled to use the same, or suffer for not doing it; but if any parent desire to have his child christened according to the form used, and the minister will not use the sign, it shall be lawful for that parent to procure another minister to do it; and if that proper minister shall refuse to omit that ceremony of the cross, it shall be lawful for the parent, who would not have his child so baptized, to procure another minister to do it, who will do it according to his desire.

No man shall be compelled to bow at the name of Jesus, or suffer in any degree for not doing it, without reproaching those who out of their devotion continue that ancient ceremony of the church.

For the use of the surplice, we are contented that all men be left to their liberty to do as they shall think fit, without suffering in the least degree for wearing or not wearing it; provided, that this liberty do not extend to our own chapel, cathedral, or collegiate churches, or to any college in either of our universities, but that the

several statutes and customs for the use thereof in the said places, be there observed as formerly.

And because some men, otherwise pious and learned, say, they cannot conform unto the subscription required by the canon, nor take the oath of canonical obedience; we are content, and it is our will and pleasure (so they take the oaths of allegiance and supremacy) that they shall receive ordination, institution, and induction, and shall be permitted to exercise their function, and to enjoy the profits of their livings, without the said subscription or oath of canonical obedience; and moreover, that no persons in the universities shall for the want of such subscription be hindered in the taking of their degrees. Lastly, that none be judged to forfeit his presentation or benefice, or be deprived of it, upon the statute of the thirteenth of queen Elizabeth, chapter the twelfth, so he read and declare his assent to all the articles of religion, which only concern the confession of the true Christian faith, and the doctrine of the sacraments comprised in the book of articles in the said statute mentioned. In a word, we do again renew what we have formerly said in our declaration from Breda, for the liberty of tender consciences, that no man shall be disquieted or called in question for differences of opinion in matters of religion, which do not disturb the peace of the kingdom; and if any have been disturbed in that kind since our arrival here, it hath not proceeded from any direction of ours.

To conclude, and in this place to explain what we mentioned before, and said in our letter to the house of commons from Breda, that "we hoped in due time, ourself to propose somewhat for the propagation of the protestant religion, that will satisfy the world, that we have always made it both our care and our study, and have enough observed what is most like to bring disadvantage

to it;" we do conjure all our loving subjects to acquiesce in and submit to this our declaration concerning those differences, which have so much disquieted the nation at home, and given such offence to the protestant churches abroad, and brought such reproach upon the protestant religion in general, from the enemies thereof; as if upon obscure notions of faith and fancy, it did admit the practice of Christian duties and obedience to be discountenanced and suspended, and introduce a license in opinions and manners, to the prejudice of the Christian faith. And let us all endeavour, and emulate each other in those endeavours, to countenance and advance the protestant religion abroad, which will be best done by supporting the dignity and reverence due to the best reformed protestant church at home; and which being once freed from the calumnies and reproaches it hath undergone from these late ill times, will be the best shelter for those abroad, which will by that countenance both be the better protected against their enemies, and be the more easily induced to compose the differences amongst themselves, which give their enemies more advantage against them: and we hope and expect that all men will henceforward forbear to vent any such doctrine in the pulpit, or to endeavour to work in such manner upon the affections of the people, as may dispose them to an ill opinion of us and the government, and to disturb the peace of the kingdom; which if all men will in their several vocations endeavour to preserve with the same affection and zeal we ourself will do, all our good subjects will by God's blessing upon us enjoy as great a measure of felicity as this nation hath ever done, and which we shall constantly labour to procure for them, as the greatest blessing God can bestow upon us in this world. Given at our court at Whitehall this twenty-fifth day of October, MDCLX.

CL.

Archiepisc. Cant. GUIL. JUXON 1. | Anno Christi 1660. | Reg. Angliæ CAROL. II. 12.

A proclamation prohibiting all unlawful and seditious meetings and conventicles under pretence of religious worship.

CHARLES R.

ALTHOUGH nothing can be more unwelcome to us, than the necessity of restraining some part of that liberty, which was indulged to tender consciences by our late gracious declaration; yet since divers persons (known by the name of Anabaptists, Quakers, and Fifth-monarchy men, or some such like appellation, as a mark of distinction and separation) under pretence of serving God, do daily meet in great numbers in secret places, and at unusual times, by reason whereof they begin to boast of their multitudes, and to increase in their confidences, as having frequent opportunities to settle a perfect correspondency and confederacy between themselves, of which some evil effects have already ensued, even to the disturbance of the public peace by insurrection and murder, for which the offenders must answer to the law, and far worse may be still expected, unless some speedy course be taken to prevent their further growth.

A proclamation] The insurrection of Venner and the fifth-monarchy men (of whose opinions sir Henry Vane was the principal promoter) took place on the 7th of January 1661. The quakers and anabaptists disowned all connection with them, on finding themselves included within the terms of the proclamation. Kennet, Reg. p. 357. Clarke's Life of James II. vol. i. p. 388. Lingard, vol. vii. p. 365.

To the intent therefore that none of those persons, who have presumed to make so ill an use of our indulgence, may be strengthened in such their proceedings by any general words or expressions in our late declaration; we have thought fit by these presents to publish and declare our royal will and pleasure, that no meeting whatsoever of the persons aforesaid, under pretence of worshipping God, shall at any time hereafter be permitted or allowed, unless it be in some parochial church or chapel in this realm, or in private houses by the persons there inhabiting. And that all meetings and assemblies whatsoever in order to any spiritual exercise, or serving of God by the persons aforesaid, unless in the places aforesaid, shall be esteemed, and are hereby declared to be unlawful assemblies, and shall be prosecuted accordingly, and the persons therein assembled shall be proceeded against as persons riotously and unlawfully assembled.

And for the better execution of this our proclamation, and the prevention of all illegal and seditious meetings and conventicles, we do hereby straitly charge and command all mayors, sheriffs, justices of the peace, constables, head-boroughs, commanders, and other our chief officers, and ministers, whom it may concern, that they cause diligent search to be made from time to time in all and every the places, where any such meetings or conventicles, as aforesaid, shall or may be suspected. And that they cause all and every the persons therein assembled to be apprehended and brought before one or more justices of the peace, and to be bound over to appear at the next sessions within the respective precincts, and in the mean time to find sureties for their good behaviour, or in default thereof to be committed to the next gaol.

And further we do will and command our justices of the peace, that they cause the oath of allegiance to be tendered to every person so brought before them, and

upon his or their refusal to proceed, according as by the statute made in the seventh year of the reign of our royal grandfather, of ever blessed memory, they are directed and commanded. Given at our court at Whitehall the tenth day of January, in the twelfth year of our reign, MDCLX.

CLI.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
GUIL. JUXON 3.	1662.	CAROL. II. 14.

King Charles' letter to the archbishop of Canterbury about some abuses in the church.

To the most reverend father in God, William, lord archbishop of Canterbury.

MOST reverend father in God, we greet you well. Whereas the bold abuses and extravagancies of preachers in the pulpit have not only by the experience

King Charles' letter] A canon had passed in convocation on the 12th of May 1662, and had afterwards been confirmed by act of parliament (Wilkins, Conc. vol. iv. p. 575,) enjoining uniform reverence, decency and order to be observed by all people in churches. The act of uniformity also (13 and 14 Charles II. c. 4) began to take effect on the 24th of August. In the October following the king issued his letter with directions for the government of the clergy in their preaching and exhortations. Bishop Burnet gives the following description of the kind of sermon which Tillotson, Lloyd, and Wilkins delivered, and the king approved. "The style their discourses generally ran in was clear, plain, and short. They gave a short paraphrase of their text, unless where great difficulties required a more copious enlargement: but even then they cut off unnecessary shows of learning, and applied themselves to the matter, in which they opened the nature and reasons of things so fully, and with that simplicity, that their hearers felt an iustruction of another sort than had commonly been observed before." Own Times, vol. i. p. 348. Kennet, Reg. p. 794. Comp. No. CXXXII.

of former ages been found to tend to the dishonour of God, the scandal of religion, and disturbance of the peace both of church and state, but have also (through the licentiousness of the late times) much increased, to the inflaming, fomenting, and heightening, of the sad distempers and confusions that were among us: and whereas even at this present (notwithstanding the merciful providence of God, so signally manifested in restoring us to our crown, and our pious care and endeavours to govern our realms in peace and tranquillity) the said abuses do yet continue in a very high measure in sundry parts of this realm, through the busy diligence of some unquiet and factious spirits, who instead of preaching the pure word of God, and building up the people in faith and holiness, have made it a great part of their business to beget in the minds of their hearers an evil opinion of their governors, by insinuating fears and jealousies, to dispose them to discontent, and to season them with such unsound and dangerous principles, as may lead them into disobedience, schism, and rebellion: and whereas also sundry young divines, and ministers, either out of a spirit of contention and contradiction, or in vain ostentation of their learning, take upon them in their popular sermons to handle the deep points of God's eternal counsels and decrees, or to meddle with the affairs of state and government, or to wrangle about forms and gestures, and other fruitless disputes and controversies, serving rather to amuse, than profit the hearers; which is done for the most part, and with the greatest confidence, by such persons as least understand them: we out of our princely care and zeal for the honour of God, the advancement of piety, peace, and true religion, and for the preventing for the future, as much as lieth in us, the many and great inconveniences and mischiefs that will unavoidably ensue, if a timely stop be not given to these and the like growing abuses, do, according to the exam-

ples of several of our predecessors of blessed memory, by these our special letters straitly charge and command you to use your utmost care and diligence, that these directions, which upon long and serious consideration we have thought good to give concerning preachers, and which we have caused to be printed, herewith sent unto you, be from henceforth duly and strictly observed by all the bishops within your province. And to this end, our will and pleasure is, that you forthwith send them copies of these our directions, to be by them speedily communicated to every parson, vicar, curate, lecturer, and minister in every cathedral, collegiate, and parish church within their several dioceses; and that you earnestly require them to employ their utmost endeavour for the due observation of the same, whereof we shall expect a strict account, both of you, and every one of them: and these our letters shall be your sufficient warrant and discharge in that behalf. Given at our court at Whitehall the 14th day of October, in the 14th year of our reign, MDCLXII.

By his majesty's command.

ED. NICHOLAS.

Directions concerning preachers.

I. THAT no preachers in their sermons presume to meddle with matters of state, to model new governments, or take upon them to declare, limit, or bound out the power and authority of sovereign princes, or to state and determine the differences between princes and the people; but that upon all good occasions they faithfully instruct the people in their bounden duty of subjection and obedience to their governors, superior and subordinate of all sorts, and to the established laws according to the word of God, and the doctrine of the church of England, as it is contained in the homilies of

obedience, and the articles of religion set forth by public authority.

II. That they be admonished not to spend their time and study in the search of abstruse and speculative notions, especially in and about the deep points of election and reprobation, together with the incomprehensible manner of the concurrence of God's free grace, and man's free will, and such other controversies as depend thereupon; but howsoever, that they presume not positively and doctrinally to determine any thing concerning the same.

III. That they forbear in their sermons ordinarily and causelessly to enter upon the handling of any other controversies of less moment and difficulty; but whensoever they are occasioned by invitation from the text they preach upon, or that in regard of the auditory they preach unto, it may seem requisite or expedient so to do, that in such cases they do it with all modesty, gravity, and candour, asserting the doctrine and discipline of the church of England from the cavils and objections of such as are adversaries to either, without bitterness, railing, jeering, or other unnecessary or unseemly provocation.

IV. That for the more edifying of the people in faith and godliness (the aforesaid abuses laid aside) all ministers and preachers in their several respective cures shall not only diligently apply themselves to catechise the younger sort, according as in the book of Common Prayer is appointed; but also shall in their ordinary sermons insist chiefly upon catechetical doctrines, (wherein are contained all the necessary and undoubted verities of Christian religion,) declaring withal unto their congregations, what influences such doctrines ought to have in their lives and conversations, and stirring them up effectually, as well by their examples as their doctrines, to the practice of such

religious and moral duties, as are the proper results of the said doctrines, as self-denial, contempt of the world, humility, patience, meekness, temperance, justice, mercy, obedience, and the like; and to a detestation and shunning of sin, especially such sins as are so rife among us, and common to the age we live in; such are those usually styled the seven deadly ones; in short, all kind of debauchery, sensuality, rebellion, profaneness, atheism, and the like. And because these licentious times have corrupted religion even in the very roots and foundations, that where there is an afternoon's exercise, it be especially spent either in explaining some part of the church catechism, or in preaching upon some such text of scripture, as will properly and naturally lead to the handling of something contained in it, or may conduce to the exposition of the liturgy, and prayers of the church, (as occasion shall be offered,) the only cause they grew into contempt amongst the people being this, that they were not understood. That also the minister, as often as conveniently he can, read the prayers himself; and when he cannot so do, he procure or provide some fit person in holy orders, who may do it with that gravity, distinctness, devotion, and reverence, as becomes so holy an action: and whensoever by reason of his infirmity, or the concurrence of other offices, the time may seem too short, or he unable to perform the office of both prayers and sermon at length, he rather shorten his discourse or sermon, than omit any thing of the prayers, lest he incur the penalty of the act for uniformity, requiring them to be read according as the book directs.

V. And further our will and pleasure is, that all ministers within their several cures, be enjoined publicly to read over unto the people such canons, as are or shall be in force, at least once, and the thirty-nine articles twice every year, to the end they may the better under-

stand and be more throughly acquainted with the doctrine and discipline of the church of England, and not so easily drawn away from it as formerly they have been.

VI. Since preaching was not anciently the work of every priest, but was restrained to the choicest persons for gravity, prudence, and learning; the archbishops and bishops of this kingdom are to take great care whom they license to preach, and that all grants and licenses of this kind heretofore made by any chancellor, official, commissary, or other secular person (who are presumed not to be so competent judges in matters of this nature) be accounted void and null, unless the same shall likewise be allowed by the archbishop or the bishop of the diocese; and that all licenses of preachers hereafter to be made or granted by any archbishop or bishop, shall be only during pleasure, otherwise to be void to all intents and purposes, as if the same had never been made nor granted.

VII. Lastly, That for the better observing of the Lord's day, too much neglected of late, they shall, as by often and serious admonitions, and sharp reproofs, endeavour to draw off people from such idle, debauched, and profane courses, as dishonour God, bring a scandal on religion, and contempt on the laws and authority ecclesiastical and civil; so shall they very earnestly persuade them to frequent divine service on the Lord's day, and other festivals appointed by the church to be kept solemn; and in case any person shall resort unto any tavern, alehouses, or use any unlawful sports and exercises on such days, the minister shall exhort those, which are in authority in their several parishes and congregations, carefully to look after all such offenders in any kind whatsoever, together with all those that abet, receive, or entertain them, that they may be proceeded against according to the laws and quality of their of-

fences, that all such disorders may for the time to come be prevented. Given at our court at Whitehall October the 14th, in the 14th year of our reign, MDCLXII.

By his majesty's command.

ED. NICHOLAS.

The lord archbp. of Cant.'s letter to the lords the bishops within his grace's province.

AFTER my hearty commendations. I have lately received letters from his majesty, wherein he takes notice of the continuance and increase of some bold abuses and extravagancies in the church, especially in preachers, notwithstanding his great indulgence used towards them; and foreseeing the mischief and inconveniences likely to ensue thereupon, if not timely prevented and repressed, hath, out of his princely and tender care of the peace of the church, sent withal certain directions to be strictly observed by the bishops in their several dioceses, (as by the copies thereof, which I have sent here enclosed, your lordship will more fully understand,) and for the more speedy dispatch and ease in the communication hath been graciously pleased to command so many copies thereof to be printed as shall be needful, a proportionable number whereof will be forthwith sent unto your lordship for your diocese. Now as we cannot but with all thankfulness acknowledge his majesty's affectionate care and zeal in this his providing for the good and welfare of the church by all means, which he finds may be conducible thereunto; so my earnest desire and hope is, we shall not be so much wanting to our own good, as not to second those his majesty's commands with the utmost of our endeavours; but that your lordship, when you shall have given order for the careful dispersing

and communicating those copies, as is required, will by your diligent inspection and serious admonitions to your clergy, as occasion shall be offered, be able in due time to return an account of the success in the observation, answerable to his majesty's expectation and pious desires in this his injunction. And so with my prayers to God for a blessing upon your endeavours herein, I commit you to his holy protection, and rest

Your lordship's very loving friend and brother,

Lambeth, Oct. 23, MDCLXII. W. CANT.

CLI*.

Archiepisc. Cant. GUIL. JUXON 3. | Anno Christi 1662. | Reg. Angliæ CAROL. II. 14.

His majesty's declaration to all his loving subjects.—From an original in the Bodleian library.

CHARLES R.

AS it hath pleased Almighty God so wonderfully to restore us to the throne of our ancestors, and our subjects to happy peace and tranquillity without the least bloodshed by the military sword; so having still earnestly wished that both might be secured and maintained with the least effusion possible of the same by the sword of

His majesty's declaration] The act of uniformity (13 and 14 Charles II. c. 4.) had passed May 19, and was to take effect on the 24th of August following, that day being fixed upon, says bishop Burnet, (although it was manifestly too early,) for the purpose of anticipating the period at which the principal tithes of the year would become due. The act itself was exceedingly stringent, and so earnest were the commons in its favour, that the house of lords vainly endeavoured to introduce more lenient provisions in behalf of schoolmasters, and in respect to the use of the surplice and the sign of the cross. The king was frequently and strongly importuned by the nonconformists to grant

justice, as desiring much rather to cure the ill intentions of the disaffected by our clemency, than to punish the effects by rigour of law: we cannot but express our great grief and trouble, that the unpardonable as well as incurable malignity of some should have carried them anew to such traitorous practices against our person and government, as have necessitated us to make fresh examples by the death of any more of our subjects. But as the publicness of their trial in the ordinary course of law, hath by their conviction sufficiently satisfied the world of the enormity of their crimes, so we have thought fit, at the same time that we are forced to punish, to endeavour, as much as in us lieth, the preventing all occasions of the like for the future by this declaration; wherein our principal aim is, to apply proper antidotes to all those venomous insinuations, by which (as we are certainly informed) some of our subjects of inveterate and unalterable ill principles, do daily endeavour to poison the affections of our good people, by misleading their understandings, and that principally by four sorts of most false and malicious scandals, which we do look upon as the grounds of those traitorous attempts.

The first, *By suggesting unto them, that having attained our ends in reestablishing our regal authority, and gaining the power into our own hands by a specious condescension to a general act of indemnity, we intend nothing less than*

them his protection; and partly from the facility of his nature, and partly from other considerations, private as well as public, he was induced to promise them that their prayer should be granted. His intention was to dispense, by his royal supremacy, with the execution of the act for a limited period; but being told by the conformists that its provisions would nevertheless take effect, and being earnestly entreated to consider the perilous condition of the church, he again yielded, and promised acquiescence in the wishes of his present advisers as readily as he had previously done in those of their opponents. The measure finally adopted was his declaration of the 26th of December, in which he endeavours to satisfy the nonconformists by assuring them

the observation of it; but on the contrary by degrees to subject the persons and estates of all such who stood in need of that law, to future revenge, and to give them up to the spoil of those, who had lost their fortunes in our service.

Secondly, *That upon pretence of plots and practices against us, we intend to introduce a military way of government in this kingdom.*

Thirdly, *That having made use of such solemn promises from Breda, and in several declarations since, of ease and liberty to tender consciences, instead of performing any part of them, we have added straiter fetters than ever, and new rocks of scandal to the scrupulous, by the act of uniformity.*

Fourthly and lastly, we find it as artificially as maliciously divulged throughout the whole kingdom, *That at the same time we deny a fitting liberty to those other sects of our subjects, whose consciences will not allow them to conform to the religion established by law; we are highly indulgent to papists, not only in exempting them from the penalties of the law, but even to such a degree of countenance and encouragement, as may even endanger the protestant religion.*

Upon occasion of all which wicked and malicious suggestions, although we are confident that the innate loyalty and good affections of the generality of our people, strengthened by a due sense of the late calamities brought

that he would incline the wisdom of parliament to the mitigation of all penal statutes in matters of religion. By this method the king hoped to gain the reputation of openness and generosity, whilst he was at the same time preparing the way for the accomplishment of his own secret projects. He was willing to obtain some further indulgences for the nonconformists, but he intended to make use of the same opportunity in favour of the Romanists. It appears that the presbyterians saw through his stratagem, and would not give him their assistance in the prosecution of it. Burnet, Own Times, vol. i. p. 335. Neal, Purit. vol. iii. p. 111. Clarend. Life, vol. ii. p. 143. Baxter's Life, p. 305. North's Examen, p. 431. Hallam, vol. ii. p. 208. Lingard, vol. vii. p. 421.

upon them by the same arts, will hinder seeds of so detestable a nature from taking root, and bringing forth the fruits aimed at by the sowers of them: yet we think that in our fatherly care to prevent any misleading of those who are so dear to us, we owe unto them and to ourselves this publication of our steadfast resolutions in all these particulars.

As to the first point, concerning the act of indemnity; certainly there can be no greater evidence that the passing it proceeded from the clemency of our nature, as well as from the present conjuncture of that parliament wherein it was first framed, than that we have been pleased to make it our especial care to have it confirmed by a new act in this, a parliament composed of members so full of affections to our person, and of zeal for the public good, as we could never have cause to apprehend their exacting from us a confirmation of any thing that had been extorted, or had at present been judged by us prejudicial to either: and therefore as we not only consented unto, but most earnestly desired the passing that act at first, and confirming it since, as being no less conformable to our nature, than conducible to a happy settlement; so we do hereby most solemnly renew unto all our subjects concerned in it, this engagement, on the word of a king, That it shall never be in the power of any person or interest whatsoever, to make us decline from the religious observance of it: it having been always a constant profession of ours, That we do and shall ever think our royal dignity and greatness much more happily and securely founded on our own clemency and our subjects' loves, than in their fears, and our power.

Which most sincere profession of ours may suffice also to expose the wickedness and falsehood of the other malice concerning the design of introducing a way of government by military power.

It is true, that we should not think we discharged

rightly what we owe to the public peace, and to the freedom and security of parliaments, as well as to the safety of our person, if whilst we daily discover such multitudes of distempered minds, and such dangerous practices issuing from them, we should from want of sufficient guards put it in the power of those rebellious spirits to undertake probably at any time, what they have at several times so madly attempted for the ruin and destruction of us all. Of which certainly, besides the present occasion of new precaution as well as new severity, we suppose all our good subjects need not a livelier nor more moving instance, than what their memories can furnish them with, from the desperate undertaking of Venner, and his crew, which (as mad as it was) we leave to all the world to judge of how dangerous a consequence it might have been, without that little strength remaining of those forces, which (to give our people a testimony of our founding all our security rather in their affections than in any military power) we had so frankly disbanded, and which afterwards, by advice of our council, merely upon motives of the public safety, we consented to increase to that moderate proportion, which was indeed absolutely necessary, and hath since been sufficiently proved to be so, by the security which we owe to them from the late dangerous practices.

But the reasons of such precautions once ceasing, we are very sure that what guards soever may be found necessary for us to continue, as in former times, for the dignity and honour of our crown; the sole strength and security we shall ever confide in shall be the hearts and affections of our subjects, endeared and confirmed to us by our gracious and steady manner of government, according to the ancient known laws of the land; there being not any one of our subjects who doth more from his heart abhor, than we ourselves, all sort of military and arbitrary rule.

As for the third, concerning the non-performance of our promises, we remember well the very words of those from Breda; viz. *We do declare a liberty to tender consciences, and that no man shall be disquieted or called in question for differences of opinion in matters of religion, which do not disturb the peace of the kingdom: and that we shall be ready to consent to such an act of parliament, as upon mature deliberation shall be offered to us for the full granting that indulgence.*

We remember well the confirmations we have made of them since upon several occasions in parliament: and as all these things are still fresh in our memory, so are we still firm in the resolution of performing them to the full. But it must not be wondered at, since that parliament, to which those promises were made in relation to an act, never thought fit to offer us any to that purpose, and being so zealous as we are (and by the grace of God shall ever be) for the maintenance of the true protestant religion, finding it so shaken (not to say overthrown) as we did, we should give its establishment the precedency before matters of indulgence to dissenters from it. But that once done, (as we hope it is sufficiently by the bill of uniformity,) we are glad to lay hold on this occasion to renew unto all our subjects concerned in those promises of indulgence by a true tenderness of conscience, this assurance:

That as in the first place we have been zealous to settle the uniformity of the church of England, in discipline, ceremony, and government, and shall ever constantly maintain it;

So as for what concerns the penalties upon those who (living peaceable) do not conform thereunto through scruple and tenderness of misguided conscience, but modestly and without scandal perform their devotions in their own way, we shall make it our special care so far forth as in us lies, without invading the freedom of par-

liament, to incline their wisdom at this next approaching sessions, to concur with us in the making some such act for that purpose, as may enable us to exercise with a more universal satisfaction, that power of dispensing, which we conceive to be inherent in us. Nor can we doubt of their cheerful cooperating with us in a thing wherein we do conceive ourselves so far engaged, both in honour and in what we owe to the peace of our dominions, which we profess we can never think secure, whilst there shall be a colour left to the malicious and disaffected to inflame the minds of so many multitudes upon the score of conscience, with despair of ever obtaining any effect of our promise for their ease.

In the last place, as to that most pernicious and injurious scandal, so artificially spread and fomented, of our favour to papists; as it is but a repetition of the same detestable arts, by which all the late calamities have been brought upon this kingdom in the time of our royal father, of blessed memory, (who, though the most pious and zealous protestant that ever reigned in this nation, could never wash off the stains cast upon him by that malice, but by his martyrdom,) we conceive all our subjects should be sufficiently prepared against that poison by memory of those disasters; especially since nothing is more evident, than that the wicked authors of this scandal are such as seek to involve all good protestants under the odious name of papists, or popishly affected: yet we cannot but say upon this occasion, that our education and course of life in the true protestant religion has been such, and our constancy in the profession of it so eminent in our most desperate condition abroad among Roman catholic princes, whenas the appearance of receding from it had been the likeliest way in all human forecast, to have procured us the most powerful assistances of our reestablishment, that should any of our subjects give but the least admission of that scandal unto their beliefs, we

should look upon it as the most unpardonable offence that they can be guilty of towards us. 'Tis true, that as we shall always according to justice retain, so we think it may become us to avow to the world, a due sense we have of the greatest part of our Roman catholic subjects of this kingdom, having deserved well from our royal father, of blessed memory, and from us, and even from the protestant religion itself, in adhering to us with their lives and fortunes for the maintenance of our crown in the religion established, against those who, under the name of zealous protestants, employed both fire and sword to overthrow them both. We shall with as much freedom profess unto the world, that it is not in our intention to exclude our Roman catholic subjects, who have so demeaned themselves, from all share in the benefit of such an act, as in pursuance of our promises, the wisdom of our parliament shall think fit to offer unto us for the ease of tender consciences. It might appear no less than injustice, that those who deserved well, and continued to do so, should be denied some part of that mercy, which we have obliged ourself to afford to ten times the number of such who have not done so. Besides, such are the capital laws in force against them, as though justified in their rigour by the times wherein they were made, we profess it would be grievous unto us to consent to the execution of them, by putting any of our subjects to death for their opinions in matter of religion only. But at the same time that we declare our little liking of those sanguinary ones, and our gracious intentions already expressed to such of our Roman catholic subjects as shall live peaceably, modestly, and without scandal; we would have them all know, that if for doing what their duties and loyalties obliged them to, or from our acknowledgment of their well-deserving, they shall have the presumption to hope for a toleration of their profession, or a taking away either those marks of distinction, or of our

displeasure, which in a well-governed kingdom ought always to be set upon dissenters from the religion of the state, or to obtain the least remission in the strictness of those laws, which either are or shall be made to hinder the spreading of their doctrine, to the prejudice of the true protestant religion; or that upon our expressing (according to Christian charity) our dislike for bloodshed for religion only, priests shall take the boldness to appear and avow themselves to the offence and scandal of good protestants, and of the laws in force against them, they shall quickly find we know as well to be severe, when wisdom requires, as indulgent when charity and sense of merit challenge it from us.

With this we have thought fit to arm our good subjects' minds against the practices of our ill ones, by a true knowledge of our own; of which now rightly persuaded, we make no question, but that whosoever they be from whom they can derive the spreading or fomenting of any of those wicked suggestions, they will look upon them with detestation, as the most dangerous enemies of our crown, and of the peace and happiness of the nation: and that what we have here published will happily prepare them all to a cheerful expectation of the approaching sessions of parliament; an assembly so eminent in their loyalty, and their zeal for the peace and prosperity of our kingdoms, that having already made those happy settlements for the maintenance of the religion established, and of our just rights, their full concurrence with us can no way be doubted in the performance of all our promises, and to the effecting of those gracious intentions which (God knows) our heart is full of, for the plenty, prosperity, and universal satisfactions of the nation.

In order to which, although it be foreign to the main scope of this our declaration, which is principally to prevent the mischiefs aimed at by the scandals therein mentioned, and that wherein we reserve the enlargement of

ourself till the opening of the next sessions of parliament, yet we cannot forbear hinting here unto our good subjects four particulars, wherein we think to give them the most important marks of our care. First, *In punishing by severe laws that licentiousness and impiety, which since the dissolution of government we find to our great grief hath overspread the nation.* Secondly, *As well by sumptuary laws, as by our own example of frugality, to restrain the excess in men's expenses, which is grown so general and so exorbitant, beyond all bounds either of their qualities or fortunes.* Thirdly, *So to perfect what we have already industriously begun in the retrenching of all our own ordinary and extraordinary charges in navy, garrisons, household, and all their dependants, as to bring them within the compass of our settled revenue, that thereby our subjects may have little cause to apprehend our frequent pressing them for new assistants.* And lastly, *So to improve the good consequences of these three particulars to the advancement of trade, that all our subjects finding (as well as other nations envying) the advantage this hath of them in that prime foundation of plenty, they may all with minds happily composed by our clemency and indulgence (instead of taking up thoughts of deserting their professions, or transplanting) apply themselves comfortably and with redoubled industry to their several vocations, in such manner as the private interest of every one in particular may encourage him to contribute cheerfully to the general prosperity.*

Given at our court at Whitehall, this twenty-sixth day of December, in the fourteenth year of our reign.

CLII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
GILB. SHELDON 2.	1665.	CAROL. II. 17.

The archbishop of Canterbury's letter to the bishop of London about nonconformists.—Reg. Sheldon fol. 205.

RIGHT reverend, and my very good lord. After my hearty commendations, etc. Having heard frequent complaints from many parts of my province, not only of great disorders and disturbances caused by the crafty insinuations and turbulent practices of factious nonconformist ministers, and other disaffected to the government of the church, but also of divers unworthy persons, that even of late years have crept into the ministry, to the scandal of the church, and dissatisfaction of good men, a great part of which miscarriages are imputed to the easiness, or inadvertency at least, of the bishops, who ought to have a watchful eye against such growing mischiefs; I have therefore thought good, as in like cases hath often been done by my predecessors, to recommend to your lordship, and the rest of my brethren, the bishops of my province, the orders and instructions herewithal sent, desiring and requiring your lordship and them duly to observe the same, and to give unto me such account

The archbishop of Canterbury's letter] The orders and instructions which accompanied this letter had evidently two distinct objects in view, the improvement of the orthodox clergy, and the suppression of nonconformity. The discipline of the church appears at this time, as indeed might be expected from the recent disorders, to have been in a worse condition than at any other period. However eminent may have been some of the prelates at the time of the Restoration, the church had to contend with these cumulative difficulties, that its opponents among the laity were for the most part men of moral character, and religious profession, and its friends were the members and ad-

and certificates, as are thereby required. Which that it may be performed, I desire your lordship, that you will impart the tenor of this my letter, together with a true copy of the said orders and instructions, to every one of my brethren, the bishops of my province, with all convenient speed. And so I bid your lordship heartily farewell.

Your lordship's

very affectionate friend and brother,

Lambeth July 7, MDCLXV. GILB. CANT.

Postscript. I desire that your lordship, in your letters to my brethren the bishops, will quicken them to make a speedy return to his majesty's instructions, for inquiries concerning hospitals, by me lately sent, and recommended to your lordship and them by his majesty's command.

Orders and instructions by the most reverend father in God Gilbert, lord archbishop of Cant. his grace, primate of all England and metropolitan, given to all the bishops of his province, and required to be observed and certified as followeth; videlicet [Ibid. fol. 205.]

I. *Concerning ordinations.*

THAT all and every the said bishops within their several dioceses and jurisdictions be very careful

herents of a dissolute and irreligious court. A pamphlet printed at Cambridge in 1663, and entitled, "Ichabod or five groans of the church," complains heavily of undue ordination, loose profaneness, unconscionable simony, careless non-residence, and encroaching pluralities. It is at this period that the word curate became confined to its modern meaning; and it is now introduced by the archbishop into his instructions, as the title of a distinct and subordinate office, having previously been applied generally to all pastors and ministers. But though the improvement of the regular clergy is made the prominent object of

what persons they receive into the ministry; and that none be admitted into holy orders, unless he bring with him letters dimissory, according to the 34th canon; and that no bishop, being not within his own proper diocese, do at any time hereafter confer orders upon any person without license first from us obtained; and that in all things the canons concerning ordination be duly and punctually observed; and that once every year, videlicet, within thirty days after the feast of the annunciation of our blessed lady St. Mary the virgin, every bishop do certify unto us the names, degrees, titles, and orders of every person by him ordained, within the year before, ending at Christmas then last past.

II. *Concerning pluralists and their curates.*

That before the feast day of the annunciation of our blessed lady St. Mary the virgin next coming, they and every of them certify to me particularly the names, surnames, and degrees of all clergymen, that, together with any benefice with cure, do hold also any prebend, or

these instructions, it was a point of no little importance at this period to obtain accurate knowledge of the numbers and the residence of the nonconformists. They had given offence to the government by opposing the war which was then carried on against the Dutch, and it was determined to subject them to new and effectual restraints. The parliament had assembled in the month of March; but owing to the breaking out of the plague, had been several times prorogued, and met eventually for the dispatch of business at Oxford, in the month of October. On the 14th of that month was brought in the bill "for suppressing unconforming ministers and schoolmasters," which imposed a strict oath upon them, and such limitations respecting residence, as have since given it the name of "the five-mile act." The archbishop's instructions as to nonconformists bearing date on the 7th of July, would seem to have been given in anticipation of this memorable act, and for the purpose of making it effectual as soon as it was passed. Commons' Journals. Kennet's Hist. vol. iii. p. 280. Baxter's Life, p. 311. Hallam, vol. ii. p. 212. Tanner MSS. vol. cclxxxiii. p. 93. Lingard, vol. vii. p. 451.

ecclesiastical dignity, or promotion, or sinecure with the names and places of the said benefices, prebends, dignities, promotions, and sinecures; and also the names, surnames, and degrees of all clergymen, that hold two or more ecclesiastical benefices, with or without cure, whether within the same diocese, or in several dioceses, and the names and places wherein the said benefices are, and within what distance, or commonly reputed distance of miles; and whether they hold the same by lawful qualification and dispensation; and upon which of their benefices, prebends, dignities, or promotions they do reside; and whether they keep and maintain able, orthodox, and conformable curates upon the said benefices, where they do not reside; and whether any of them keep any curate, where they themselves do usually reside; and what are the names, surnames, and degrees of the said curates, and whether they be licensed and approved by the bishop, as they ought.

III. *Concerning lectures and lecturers.*

That before the said feast day of our blessed lady St. Mary the virgin, they and every of them particularly certify unto me, what lectures are set up, and lecturers maintained within their respective dioceses; in what towns, places, and churches the same are set up; what allowances are made and established for any such lectures; what are the names, surnames, degrees, and qualities of all and every such lecturers; and whether such lectures be set up by and with the consent of the bishop of the diocese; and whether the said lecturers be lawfully licensed preachers, and by whom; and how they appear affected to the government of his majesty, and the doctrine and discipline of the church of England.

IV. *Concerning schoolmasters and instructors of youth.*

That before the said feast day of our blessed lady St. Mary the virgin, they and every of them particularly certify me, how many, and what free schools are within their respective dioceses, and where, and by whom founded, and how endowed, and the names, surnames, and degrees of the schoolmasters and ushers in the said free schools; and also the names, surnames, and degrees of all other public schoolmasters, and ushers, or instructors, and teachers of youth in reading, writing, grammar, or other literature, and whether they be licensed, and by whom; as also of all public mistresses of schools and instructors and teachers of young maids or women; and of all other men and women, that keep scholars in their houses to board or sojourn, and privately teach them or others within their houses; and whether the said schoolmasters, ushers, schoolmistresses, and instructors, or teachers of youth publicly or privately, do themselves frequent the public prayers of the church, and cause their scholars to do the same; and whether they appear well affected to the government of his majesty and the doctrine and discipline of the church of England.

V. *Concerning practisers of physic.*

That before the said feast day of our blessed lady

IV. *Concerning schoolmasters*] The power of the ordinary in granting license to schoolmasters had been declared in the Injunctions of queen Elizabeth (N°. XLIII.) in the canons of 1603, in the statutes 23 Eliz. c. 1. and 1 James i. c. 4; but the further power of requiring such schoolmasters to subscribe a declaration of conformity to the liturgy of the church of England, was given for the first time in the act of uniformity, 13 and 14 Charles II. c. 4. The house of lords remonstrated against this clause, but was overcome by the pertinacity of the commons.

V. *Concerning practisers of physic*] By statute 3 Henry VIII. c. 11, bishops and their vicars general had the right of licensing physicians and surgeons in their respective dioceses.

St. Mary the virgin, they and every of them particularly certify me the names, surnames, degrees, and qualities of all practisers of physic within their respective dioceses; in what towns, villages, or places they live; whether licensed, and by whom; and how they appear affected to his majesty's government, and the doctrine and discipline of the church of England.

VI. *Concerning nonconformist ministers.*

That before the feast of —— they and every of them particularly certify me the names, surnames, and degrees of all nonconformist ministers, that within their respective dioceses have been ejected out of any ecclesiastical benefice, promotion, or charge for nonsubscription, or nonconformity; and where, and how, and in what profession of life they now do live; and how they behave themselves in relation to the peace and quiet as well of the church, as of the state; and further, if any such like nonconformist shall have removed from any other diocese into any of their respective dioceses, that they certify the same things concerning them, as well as of the others, in this instruction mentioned. Given at my manor house at Lambeth in the county of Surrey, July the 7th, MDCLXV.

CLIII.

Archiepisc. Cant. GILB. SHELDON 8. | Anno Christi 1670. | Reg. Angliæ CAROL. II. 22.

The archbishop of Canterbury's letter to the commissary, the dean, and archdeacon of Canterbury concerning the king's directions to the clergy.—Ex autographo penes Thom. episc. Assaven.

Right worshipful Mr. commissary, and right reverend Mr. dean, and Mr. archdeacon.

IT having pleased his majesty and the two houses of parliament, out of their pious care for the welfare of this church and kingdom, by making and publishing the late act for preventing and suppressing conventicles, to lay a hopeful way for the peace and settlement of the church, and the uniformity of God's service in the same; it becomes us the bishops, ecclesiastical judges, and

The archbishop of Canterbury's letter] An act had passed in the year 1664 (16 Charles II. c. 4.) "To prevent and suppress seditious conventicles," but had expired in the year 1667; and the Oxford act of 1665 being supposed to be inoperative in that respect without it, there was no longer any sufficient restraint upon the holders and frequenters of conventicles. The archbishop issued a letter to the commissary of his diocese in the year 1669 on the subject, which was soon followed by a royal proclamation for the suppression of such meetings, and for proceedings to be adopted against the preachers in them. (Wilkins, Conc. vol. iv. p. 588.) But under the guidance of such men as Baxter and Manton, and with the secret support of the king and his courtiers, the nonconformists persisted in holding their religious meetings, till the act for suppressing seditious conventicles was renewed in the year 1670 (22 Charles II. c. 1.) with additional restrictions. It is to this act that the archbishop refers in the present letter. Baxter's Life, p. 328. Kennet, Hist. vol. iii. p. 305. Neal, Purit. vol. iii. p. 164.

clergy, as most particularly sensible of the good providence of God, to endeavour, as much as in us lies, the promoting so blessed a work. And therefore having well considered what will be proper for me in my place to do, I have thought fit and do hereby recommend unto you, as my commissioners, jointly and severally these counsels and methods, which I desire, that in my stead, throughout my particular diocese of Cant. as well in places exempt as not exempt, you will pursue; and which I have also by my letters given in charge to all the rest of my brethren, the bishops of my province, being thereunto encouraged by his majesty's approbation and express direction in this affair.

In the first place therefore I advise and require you, that you will call before you not only all officials, registers, and other ecclesiastical officers within my diocese; but that also by such means, and at such places as you shall judge most convenient, you assemble before you or some one or more of you the several parsons, vicars, and curates of my diocese and jurisdiction within their several deaneries; and that you impart unto them respectively, as they shall come before you, the tenor of these my letters, requiring them in my name, that in their several capacities and stations they all perform their duty towards God, the king, and the church, by an exemplary conformity in their own persons and practice to his majesty's laws, and the rules of the church in this behalf.

Secondly I advise, that you admonish and recommend to all and every of the parsons, vicars, and curates within my said diocese and jurisdiction strictness and sobriety of life and conversation, checking and punishing such as transgress, and encouraging such as live orderly; that so by their virtue and religious deportment they may shew themselves patterns of good living to the people under their charge. And next, that you require of them, as they will answer the contrary, that in their own persons

in their churches they do decently and solemnly perform the divine service by reading the prayers of the church, as they are appointed and ordered in and by the book of Common Prayer, without addition to or diminishing from the same, or varying, either in substance or ceremony, from the order and method, which by the said book is set down, wherein I hear and am afraid, too many do offend; and that in the time of such their officiating, they ever make use of, and wear their priestly habit, the surplice and hood; that so by their due and reverent performance of so holy a worship, they may give honour to God, and by their own example instruct the people of their parishes, what they ought to teach them in their doctrine.

Thirdly, having thus counselled the ecclesiastical officers and clergy of my diocese in their own particular duties, you are further desired to recommend unto them the care of the people under their respective jurisdictions and charges, that in their several places they do their best to persuade and win all nonconformists and dissenters to obedience to his majesty's laws, and unity with the church; and such as shall be refractory, to endeavour to reduce by the censures of the church, or such other good means and ways as shall be most conducing thereunto.

To which end, I advise that all and every of the said ecclesiastical judges and officers, and all and every of the clergy of my diocese, and the churchwardens of every parish by their respective ministers be desired in their respective stations and places, that they take notice of all nonconformists, holders, frequenters, maintainers, and abettors of conventicles and unlawful assemblies, under pretence of religious worship, especially of the preachers and teachers in them, and of the place wherein the same are held, ever keeping a most watchful eye over the cities and greater towns, from whence the mischief is for the most part derived into the lesser villages

and hamlets. And wherever they find such wilful offenders, that then with a hearty affection to the worship of God, the honour of the king and his laws, and the peace of the church and kingdom, they do address themselves to the civil magistrates, justices, and others concerned, imploring their help and assistance for the prevention or suppression of the same, according to the said late act made and set forth in that behalf.

Lastly, for the better direction to all those who shall be concerned in the advices given by this letter, I desire you will give out amongst ecclesiastical officers and clergy as many copies of the same, as you shall think most conducible to the ends for which it is designed.

And now, what the success will be, we must leave to God Almighty. Yet I have this confidence under God, that if we do our parts now at first diligently, by God's help and the assistance of the civil power (considering the abundant care and provisions this act contains for our advantages) we shall within a few months see so great an alteration in the distractions of these times, as that the seduced people returning from their seditious and self-serving teachers to the unity of the church, and uniformity in God's service, it will be the glory of God, the welfare of the church, the praise of his majesty's government, and the happiness of the whole kingdom. And so I bid you heartily farewell, and am,

Your most affectionate friend,

GILB. CANT.

Lambeth house,
May 7, MDCLXX.

CLIV.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Gilb. Sheldon 8.	1670.	Carol. II. 22.

The archbishop of Canterbury's circular letter to cathedrals, that the residentiaries should in their own persons perform divine service on Sundays and holidays at least.—Ex MS. penes Thom. episc. Assaven.

RIGHT reverend and my very good lord. I have thought this a fit time to give your lordship, and all the rest of my brethren, the bishops of my province, notice of some things, which within some of our own cathedrals, and in the service of God there, are not so orderly performed as they ought to be. Our cathedrals are the standard and rule to all parochial churches of the solemnity and decent manner of reading the liturgy, and administering the holy sacraments. And certainly there is none in those places, whom it better becomes to shew a good example, than those who have the chief preferments within those cathedrals; that is, the deans, canons, prebendaries, and other dignitaries within the same. But with some trouble I must needs tell you, I have from many places heard, that the duties of reading the church service, and administering the holy communion, have been too much neglected by those dignified persons; and as if it were an office below them, left for the most part to be performed by their vicars, or petty canons, to the offence of some of our friends, the advantage of sectaries, and their own just reproach. Upon this, my lord, my

The archbishop of Canterbury's circular letter] The circular letter to cathedrals is taken from the Tanner MSS. vol. cclxxxii. p. 102. There is also another copy at p. 106 of the same volume, and it may be found in the chapter-book at Ely.

advice is, and I do hereby desire your lordship, that you will call before you the dean, and canons, or prebendaries of your cathedral churches, or as many as conveniently you can get together, and having imparted this my letter unto them, that your lordship will, as well in mine as your own name, counsel, and persuade, or otherwise require them, that they take care, as much as may be, that divine service, and administering the holy communion be celebrated by one of themselves, at least every Sunday and holiday in the year; and that they order their residence and attendance on the church, so as (if possible) one of them in person may officiate, as is before desired. This, I am assured, will be very agreeable to his majesty's good pleasure, conducible to the honour of God's service, and their own esteem and reputation. And so expecting from your lordship and them an account of what is done hereupon, as soon as conveniently it may be, at least within three months after the date hereof, I bid your lordship heartily farewell, and am,

(My lord) your lordship's
very affectionate friend and brother,

GILB. CANT.

Lambeth house,
June 4, MDCLXX.

For the right reverend father in God, my very good lord and brother, Seth lord bishop of Sarum.

CLIV *.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Gilb. Sheldon 9.	1671.	Carol. II. 24.

His majesty's declaration to all his loving subjects.—From an original in the Bodleian library.

OUR care and endeavours for the preservation of the rights and interests of the church, have been sufficiently manifested to the world, by the whole course of our government, since our happy restauration, and by the many and frequent ways of coercion that we have used for reducing all erring or dissenting persons, and for composing the unhappy differences in matters of religion, which we found among our

His majesty's declaration] Lord Clarendon having gone into banishment at the end of the year 1667, and his administration being succeeded by that of the Cabal, the king was now at liberty to pursue his own projects, not only without restraint, but even with the aid of counsellors more fertile in expedients and more regardless about consequences than he himself was. And this was the darkest and most intricate period of a reign which may justly be called throughout the greater portion of it a mystery of iniquity. Within the compass of a few years the king resolved to be independent of parliaments, entered into a war to which the nation was generally adverse, declared his treasury insolvent, united himself with France and became the pensioner of the French monarch, formed a secret compact to surrender the liberties and the religion of his own kingdoms, and issued a declaration which directly dispensed with the observance of the law, and indirectly claimed the exercise of absolute power.

The declaration issued on the 15th day of March 1672 is an instance, among many, of the dishonest and tortuous policy by which the king endeavoured to accomplish his purposes. It seems to have been intended for the benefit of the nonconformists; but was really designed to relieve the Romanists. For the former he felt as much compassion as could belong to a temper easy and indulgent by nature, but rendered hard and reckless by profligate and irreligious habits; and as for his

subjects upon our return: but it being evident by the sad experience of twelve years, that there is very little fruit of all those forcible courses, we think ourself obliged to make use of that supreme power in ecclesiastical matters, which is not only inherent in us, but hath been declared and recognised to be so by several statutes and acts of parliament: and therefore we do now accordingly issue this our declaration, as well for the quieting the minds of our good subjects in these points, for inviting strangers in this conjuncture, to come and live under us, and for the better encouragement of all to a cheerful following of their trade and callings, from whence we hope by the blessing of God, to have many good and happy advantages to our government; as also for preventing for the future the danger that might otherwise arise from private meetings and seditious conventicles.

And in the first place, we declare our express resolu-

advisers, they had no sympathy except for atheists and Romanists, and would naturally treat with contempt a class of men who looked upon their principles with abhorrence. Nevertheless it was only by conciliating or by bribing the nonconformists that he could hope to obtain more favourable conditions for the Romanists; and to this object he was now so far pledged, that he incurred the greatest hazard, and had recourse to the most unconstitutional methods, in order to accomplish it.

The parliament, which had been prorogued since the 22nd day of April 1671, was at last allowed to assemble on the 5th of February 1673, and was addressed by the king, with reference to his Declaration, in the following manner: "Some few days before I declared the war I put forth my Declaration for indulgence to dissenters. . . .There is one part of it that is subject to misconstruction, which is that concerning the papists, as if more liberty were granted them than to the other recusants, when it is plain there is less. . . .In the whole course of this indulgence I do not intend that it shall any way prejudice the church; but I will support its rights and it, in its full power. Having said this, I shall take it very, very ill, to receive contradiction in what I have done: and I will deal plainly with you, I am resolved to stick to my Declaration."

Nevertheless the commons proceeded to vote that "penal statutes in

tion, meaning and intention to be, that the *church of England* be preserved, and remain entire in its doctrine, discipline, and government, as now it stands established by law; and that this be taken to be, as it is, the basis, rule and standard, of the general and public worship of God, and that the orthodox conformable clergy do receive and enjoy the revenues belonging thereunto; and that no person, though of a different opinion and persuasion, shall be exempt from paying his tithes or other dues whatsoever. And further, we declare, that no person shall be capable of holding any benefice, living, or ecclesiastical dignity or preferment of any kind in this our kingdom of England, who is not exactly conformable.

We do in the next place declare our will and pleasure to be, that the execution of all and all manner of penal laws in matters ecclesiastical, against whatsoever sort of nonconformists or recusants, be immediately suspended. And all judges, judges of assize and gaol-delivery, sheriffs,

matters ecclesiastical cannot be suspended, but by act of parliament," and stated in reply to the king's defence of his proceedings, "that no such power was ever claimed or exercised by any of his predecessors." They shewed at the same time a readiness to grant relief to protestant dissenters, but a determination to oppose themselves to the additional dangers arising from the duke's open adoption of popery, and the king's secret attachment to it. It is now known from the Stuart papers (Life of James II. vol. i. p. 442) that the king had decided in the year 1669 to bring in the Romish faith, and had arranged with his brother to "go about it as wise men and good catholics ought to do." The Test Act was passed in the session of 1673, and the country party to which the nation was afterwards so much indebted, was established at the same period.

The king assured the two houses that his suspension of penal laws "should not be drawn either into consequence or example," and the lord chancellor (Shaftsbury) stated, with his majesty's permission, that the Declaration under the great seal had been cancelled in his presence. Commons' Journals. Burnet, O. T. vol. ii. p. 5. Neal, Purit. vol. iii. p. 185. Baxter's Life, p. 334. North's Exam. p. 455. Hallam, vol. ii. p. 255. Lingard, vol. vii. p. 499.

justices of the peace, mayors, bailiffs, and other officers whatsoever, whether ecclesiastical or civil, are to take notice of it, and pay due obedience thereunto.

And that there may be no pretence for any of our subjects to continue their illegal meetings and conventicles, we do declare, that we shall from time to time allow a sufficient number of places, as they shall be desired, in all parts of this our kingdom, for the use of such as do not conform to the *church of England*, to meet and assemble in in order to their public worship and devotion; which places shall be open and free to all persons.

But to prevent such disorders and inconveniences as may happen by this our indulgence, if not duly regulated, and that they may be the better protected by the civil magistrate, our express will and pleasure is, that none of our subjects do presume to meet in any place, until such place be allowed, and the teacher of that congregation be approved by us.

And lest any should apprehend, that this restriction should make our said allowance and approbation difficult to be obtained, we do further declare, that this our indulgence, as to the allowance of the public places of worship, and approbation of the teachers, shall extend to all sorts of nonconformists and recusants, except the recusants of the Roman catholic religion, to whom we shall in no wise allow public places of worship, but only indulge them their share in the common exemption from the execution of the penal laws, and the exercise of their worship in their private houses only.

And if after this our clemency and indulgence, any of our subjects shall presume to abuse this liberty and shall preach seditiously, or to the derogation of the doctrine, discipline, or government of the established church, or shall meet in places not allowed by us, we do hereby give them warning, and declare, we will proceed against them with all imaginable severity: and we will let them see

we can be as severe to punish such offenders, when so justly provoked, as we are indulgent to truly tender consciences.

Given at our court at Whitehall this fifteenth day of March, in the four and twentieth year of our reign.

CLV.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
GILB. SHELDON 10.	1672.	CAROL. II. 25.

The archbishop of Canterbury's letter to his suffragans about the increase of sects, etc.—Ex lib. instrum. episc. Lincoln.

THE king's most excellent majesty being truly sensible, that the growing increase of the prevailing sects and disorders amongst us, proceeds chiefly from the general neglect of instructing the younger sort of persons (or their erroneous instruction) in the grounds and principles of true religion, is therefore pleased to command me, that in his name I require your lordship (and by you the rest of my brethren the bishops of this province) that by your-

The archbishop of Canterbury's letter] When the act of uniformity was in progress, in the year 1662, the house of lords, in a conference with the commons, proposed that the clause requiring subscription from schoolmasters should be withdrawn, but were induced to abandon their proposition, on being told of the force of education, and the danger of entrusting it to the hands of dissenters. In this letter the archbishop directs the power so obtained by the church to be employed for the purpose for which it was given. The Catechism to which he refers, was probably the small Catechism of dean Nowel, which was printed originally in 1570, again in 1572, in Greek and Latin in 1573,

selves and officers you will at all seasonable time reinforce the execution of such laws and constitutions, as enable us to enjoin the use and exercise of our said Catechism. And that (by the most effectual remedies that may be) such as, without license, either publicly or privately teach school within your lordship's or their jurisdiction, be forthwith proceeded against, according to such rules as are prescribed unto us for their restraint. And to the end that this mischief may be prevented for the future, he moreover strictly chargeth us, that none be admitted to that office without such subscription, oaths, and declaration, as are exactly requisite. But in the mean time I desire that your lordship and they will, with the first conveniency, let me know, how far we are already defective in these particulars, that I may be able to give such satisfaction as hereafter will be necessary. I bid your lordship heartily farewell.

Your lordship's

very affectionate friend and brother,

Lambeth house, Feb. 6,
MDCLXXII.

GILB. CANT.

and so on from time to time in many subsequent impressions, and was used generally in schools, as Strype informs us, down to his own time, the end of the 17th century. (Strype's Parker, vol. ii. p. 18.) So strongly was the subject felt at this time, that during the same month of February, the attorney general was desired to prepare a bill, "enjoining all persons possessed of ecclesiastical preferment, under a penalty, to catechise and instruct the youth every Sunday in the afternoon in the Church Catechism, and to explain the same and expound thereupon to the congregation." Commons' Journals. Comp. Nos. LVI. CIX. CXXXII. Canons 77 and 79.

CLVI.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Gilb. Sheldon 13.	1676.	Carol. II. 28.

The archbishop of Canterbury's letter to the bishop of London concerning the number of dissenters.

Right reverend and my very good lord.

I HAVE thought fit, for some reasons me thereunto especially moving, to pray and requíre your lordship (and by you the rest of my brethren the bishops) that forthwith, upon receipt hereof, you send letters both to your archdeacons and commissaries within your respective dioceses, willing and straitly charging them, that as well by conference with the ministers, as churchwardens of each parish within their jurisdiction, or such others as may best give them the most punctual satisfaction, they particularly inform themselves as to the several points and queries hereafter mentioned; and that having gained the most certain information therein that they are able, they presently after their next visitation of Easter ended,

The archbishop of Canterbury's letter] From the time of the removal of lord Clarendon, in the year 1667, various attempts had been made to comprehend dissenters, more especially the presbyterians, within the pale of the church of England. In the year 1673 a bill for their relief passed through the house of commons, and was read a third time, with amendments, in the upper house, but was not finally adopted by both houses before the parliament was prorogued. In the year 1675 several divines of the church of England, with Tillotson and Stillingfleet at their head, had private conferences with Baxter, Manton, and other non-conformists, for the purpose of arranging terms of accommodation; but meeting afterwards with great opposition from the bishops, they abandoned their plan, and Tillotson expressed their reason for doing so in the following manner: "It cannot pass in either house without the concurrence of a considerable part of the bishops, and the countenance

transmit their account thereupon in writing unto their several diocesans, and they unto your lordship, to be communicated to me with your first conveniency. And to the end that they may be the more circumspect and sudden in the performance of this business, I think it not unnecessary that there be some advertisement intimated unto them, that the matters inquired of may nearly concern them in the exercise of their jurisdictions. So not doubting of your lordship's care in the premises, etc.

The inquiries are these that follow:

First, What number of persons, or at least families, are by common account and estimation inhabiting within each parish subject unto them?

Secondly, What number of popish recusants, or such as are suspected for recusancy, are there among such the inhabitants aforesaid?

Thirdly, What number of other dissenters are resident in such parishes, which either obstinately refuse, or wholly absent themselves from the communion of the church of England at such times, as by law they are required?

of his majesty, which at present I see little reason to expect." Nevertheless the nonconformists had powerful arguments on their side, and were supported by able advocates. The duke of Buckingham proposed a bill for their relief in November 1675, urging the importance of the measure for promoting the wealth, strength, and greatness of the nation. Bishop Wilkins, who died in 1672, had been indefatigable in their favour, having spoken in the house of lords against the conventicle act in the year 1670, although the king had endeavoured to prevent him; and bishop Croft published anonymously (in 1675) an address to the lords and commons, under the title of "The naked truth," which recommended that "peace should be made with lesser enemies, in order to resist more successfully the encroachments of the greater." Among the topics urged at that period in favour of a comprehension, great use was doubtless made of the supposed number and influence of the dissenters, and this letter was issued by the archbishop for the

It cannot be unknown unto your lordship, and the rest of my brethren the bishops, by what artifices and insinuations the established doctrine and discipline of the church of England hath been both heretofore and now lately impugned; and amongst other specious pretences, the consideration of the number of dissenters hath been an argument much insisted upon, as if their party were either too formidable to be suppressed, or that the combination of the several factions being infinite, it were but lost labour to reenforce the censure and execution of the laws provided against them. For manifestation of which groundless and untrue assertion, and other important reasons me thereunto moving, I have thought fit at this time to pray and require your lordship.... And so soon as I shall receive satisfaction as to the particulars, I shall be able from the fact itself to unmask and lay open the prejudices and misapprehensions, wherewith some unwary persons are abused by the designs of our adversaries. I shall I hope justify the diligence, zeal, and integrity of both myself and brethren, in the management of the charge committed to our care. And lastly, having done this, I do not doubt but the pretended increase of schism

purpose of ascertaining what was the degree of credit to which it was entitled. We learn from a pamphlet, written by bishop Sherlock in vindication of the test act, what was the result. "The nonconformists of all sorts (including papists as well as others) were computed to be in proportion to the members of the church of England, in the year 1676, as one to twenty; a number in proportion too small to have any natural strength to hurt the constitution." (p. 44. edit. 1790.) It is evident however that such a proportion of discontent was too great to continue stationary. State Tracts, 1693. p. 62. Neal, Purit. vol. iii. p. 198. Baxter, Life, p. 345. North's Examen, p. 44. Hallam, vol. ii. p. 266. Common's Journals. Lingard, vol. vii. p. 552.

In the copy of this letter preserved in the Tanner MSS. (vol. cclxxxii. p. 104.) is the following note on the words 'What number of persons:' "Bishop of Norwich doubts whether the word was to be restrained to such only as were of years fit to communicate; sc. above the age of 16."

and superstition will no longer be imputed to our easiness or inadvertency, and the just number of dissenters being known, their suppression will be a work very practicable, if they be not emboldened by the countenance of other authority than ourselves.

CLVII.

Archiepisc. Cant. GUIL. SANCROFT I. | Anno Christi 1678. | Reg. Angliæ CAROL. II. 30.

Directions from the archbishop of Cant. to his suffragans, concerning testimonials to be granted unto candidates for holy orders, dated from Lambeth house Aug. 23. MDCLXXVIII.

"SALUTEM in Christo." My lord. Whereas the easy and promiscuous granting of letters testimonial (which is in itself a sacred thing, and in the first intention of great and very weighty importance) is by the lapse of time and the corruption which by insensible degrees is crept into the best institutions, come to be both in the universities and elsewhere abroad in the dioceses a matter of mere formality, and piece of common civility, scarce denied to any that asked it, and many times, upon the credit of the first subscriber, attested by the rest, who have otherwise no knowledge of the person so adorned; or else, where more conscience is made of bearing false witness even for a neighbour, is done so perfunctorily, and in so low and dilute terms, as ought to signify nothing at all to the great end, for which it is designed to serve, and yet is sometimes with a like

Directions from the archbishop] D'Oyly's Life of Sancroft, vol. i. p. 182.

easiness and remissness, received and proceeded upon; whereby great mischiefs in the church and scandals daily ensue, persons altogether undeserving, or at least not duly qualified, being too often, upon the credit of such papers, admitted into holy orders, and in consequence thereupon thrusting themselves into employments of high trust, and dignity, and advantage in the church, and by their numerous instructions preventing and excluding others of greater modesty and merit: concerning all which, your lordship cannot but remember, how many and how great complaints we met with both from our brethren the bishops, and others, during the late session of parliament, and what expedients for remedy thereof were then under debate and consideration among us. Now, as the result of those counsels, and for the effectual redressing of those inconveniences, and preventing the like for the future, (though it would be abundantly sufficient to call all persons concerned, on both sides, to the serious perusal of, and exact compliance with those excellent constitutions and canons ecclesiastical, made in the year MDCIII. which have most wisely and fully provided to obviate all these evils,) yet because in the modern practice they seem not duly to be attended to, it is thought fit and necessary again to limit and regulate the grant, the matter, and the form of testimonials as followeth: "videlicet,"

That no letters testimonial be granted only upon the credit of others, or out of a judgment of charity, which believes all things, and hopes all things, but from immediate and personal knowledge, and that owned and expressed in the letters themselves.

That (as to the form of these letters) every such testimonial have the date, both as to time and place, expressly mentioned in the body of it, before it be subscribed by any, and pass also (as the canon requires) under hand and seal; those namely from the universities, under the com-

mon seal of their respective colleges, attested by the subscription of the master, head, or principal person there, and those from other places, under the hands and seals of three priests at the least, of known integrity, gravity, and prudence, who are of the voisinage, where the person testified of resides, or have otherwise known his life and behaviour by the space of three years next before the date of the said letters.

And as to the matter of them, that they particularly express the present condition of the person, in whose behalf the testimony is given; his standing and degree in the university; his place of present abode, and course of life; his end and design, for which he would make use of the said testimonial; whether for obtaining the order of deacon or priest, or the employment of a parson, vicar, curate, or schoolmaster; and that the subscribers know him to be worthy, and in regard of learning, prudence, and holy life, duly qualified for the same respectively; and if he desires holy orders, his age too, if the subscribers know it, or else that they admonish him to bring it otherwise credibly and sufficiently attested. Lastly, if such testimonial be to be made use of in another diocese, than that, where it is given; that it be by no means received without the letters dimissory of the bishop, or other ordinary of the place, attesting in writing the ability, honesty, and good conversation of the person commended, in the place from whence he came.

My lord, this is (I think) the sum of what was discoursed and resolved between us, when we were last together. I therefore desire you, with all convenient speed, to cause copies thereof to be transcribed and transmitted to the several bishops of this province, and vice-chancellors of the universities respectively, and to be by them communicated (as soon as may well be) to as many as are herein concerned, that they may not be disappointed by coming furnished with such testimonials

only, as will not, nor ought to be received to such great purposes, for which they are so often made use of. Commending your lordship and your great affairs to the blessing of God Almighty, I remain,

My lord, your lordship's

assured loving brother,

Ex schedula soluta impressa anno MDCLXXVIII.

W. CANT.

CLVIII.

Archiepisc. Cant. GUIL. SANCROFT 4. | Anno Christi 1680. | Reg. Angliæ CAROL. II. 33.

The archbishop of Canterbury's letter to the bishop of London about the augmentation of vicarages and curacies.—Ex autographo penes Tho. episc. Assaven.

MY LORD,

THE patrimony of the church (especially in the smaller vicarages) hath been so long and so often by unjust customs and otherwise invaded, and by degrees daily more and more diminished, and the little that is left of the old endowment, so likely by the same arts to be swallowed up and lost, that we have reason to bless God, who at the king's happy restoration put it into his heart by his letters to command us, upon the renewing of church leases, to make further reservations beyond the

The archbishop of Canterbury's letter] See No. CXLVII. D'Oyly's Sancroft, vol. i. p. 188. This letter is taken from the copy in the archbishop's handwriting preserved in the Tanner MSS. in the Bodleian, vol. cclxxxii. p. 115.

old rent for the augmenting the livelihood of poor vicars and curates; which being done, he also past a law for the confirming and perpetuating such augmentations. After which pious care and provision, it would be an indelible blot upon us, if we should be found to have finally neglected any act enjoined us by that statute, whereby the payment of those augmentations is directed to be evidenced and secured. And yet (with grief I write it) I think I have ground to fear, that what in obedience to that excellent law ought to have been done by us above three years since, in order to so pious a purpose, is not to this day by us all universally performed. And therefore I desire your lordship to communicate this my letter to all our brethren, the bishops of this province, by them to be transmitted to their respective deans, archdeacons, and prebendaries, strictly requiring them, upon receipt hereof, to have recourse to the said act of parliament, and forthwith, punctually, and effectually to perform what is therein enjoined them. And when that is done, to the end I may be assured that at last it is done, that every bishop, dean, and archdeacon send me a particular of all the augmentations respectively by them made or by their predecessor, with the names of the parishes, and the sum so reserved to the use of the incumbents, subscribed with their own hands; that so I may know what hath been done herein throughout the whole province. My lord, I doubt not of your lordship's readiness to promote so good a work; which with your good lordship and all your great affairs I commend to God's blessing, and remain

Your lordship's most affectionate friend and brother,

W. Cant.

Lambeth house, Feb. 2.
MDCLXXX.

CLIX.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Sancroft 4.	1681.	Carol. II. 33.

The archbishop of Canterbury's letter to the bishop of London concerning prosecution of popish recusants, according to the canons of king James, LXV. LXVI. CXIV. Ex MS. penes Thom. episc. Assaven.

Right reverend lord and brother,

HIS majesty having yesternight in council (to the great satisfaction and joy of us all) declared his royal will and pleasure, that all papists and popish recu-

The archbishop of Canterbury's letter] The last parliament held in the reign of king Charles II. assembled at Oxford on the 22nd day of March 1681, and was dissolved six days afterwards, the commons having given extreme offence by their vigorous proceedings against popery, and more especially by the bill, which the king had denounced in a former parliament, for excluding the duke of York from the succession to the throne. On the 8th of April the king in council issued a declaration "touching the causes and reasons that induced him to dissolve the two last parliaments;" in which was contained the following memorable passage: "We are resolved, by the blessing of God, to have frequent parliaments, and both in and out of parliament to use our utmost endeavours to extirpate popery, and to redress all the grievances of our good subjects, and in all things to govern according to the laws of the kingdom." It was at this council that the king expressed himself in such a manner, as to call for the gratitude of the archbishop and to give occasion for the present letter on the subject of recusants. But we have the following and different account of the matter from sir William Jones, a less credulous authority. "The declaration was not communicated to the privy council till Friday the 8th of April, when his majesty did graciously declare to them his pleasure to set it forth, without desiring from them any advice in the matter; but M. Barillon, the French ambassador, did not only read it to a gentleman on the 5th of April, but advised with him about it, and demanded his opinion of it." (State Tracts, p. 167.) "This declaration," says the writer of a letter

sants throughout the realm be forthwith vigorously prosecuted, and the laws of the land made against them effectually put in execution, to the end that by such wholesome severity (so seasonable and necessary at this time) they may by God's blessing upon his majesty's pious intentions, and the endeavours of his good subjects, in pursuance of the same, be either reduced into the bosom of the church, or driven out of the kingdom; I could not but immediately reflect how highly it concerns, and how well it may beseem me and my brethren, and all that are intrusted with the manage of any jurisdiction under us, to contribute all we can; and particularly what the laws

from a person of quality to his friend, "by the new style of 'his majesty in council,' is ordered to be read in all churches and chapels throughout England; which no doubt the blind obedience of our clergy will see carefully performed. Yet if it be true that there is neither great seal, privy seal, nor order of council, nor any thing else but Mr. Gwyn's hand to authorize the publishing this paper, in such a case our officious clergymen will prove publishers of false news, and invectives against a third estate of the kingdom; and will be liable to be questioned for it." (State Tracts, p. 187.) The order that the declaration should be read in churches is said to have been proposed by the archbishop himself, and has occasioned much remark and rebuke, as furnishing the precedent for a similar order, which was issued in the reign of James II. and was nobly resisted by the same archbishop and by the great body of the clergy. (Burnet, O. T. vol. iii. p. 223. Calamy's Life, vol. i. p. 199.)

Excommunication, which the lord keeper Williams had formerly called the "rusty sword of the church," (Cabala, p. 306,) was now found to be an effective and formidable weapon. It was directed in this instance against recusants, but it was also employed by the court in the year following against nonconformists, for the purpose of disqualifying them for voting at elections, or exercising any direct influence in boroughs or corporations. Kennet's Hist. vol. iii. p. 388. Commons' Journals. Neal, Purit. vol. iii. p. 228. Burnet, O. T. vol. ii. pp. 283. 337. North's Exam. p. 105. Hallam, vol. ii. p. 320. Clarke's Life of James II. vol. i. p. 672. Lingard, vol. viii. p. 210.

This letter is taken from a copy signed by the archbishop and now preserved in the Tanner MSS. vol. cclxxxii. p. 120.

of the land, and the canons of the church require of us, for the promoting and accomplishing (if it may be) so good a design, which tends so manifestly to the glory of God, the honour of his majesty's government, the prosperity and flourishing estate of that excellent religion by the peculiar blessing of Heaven established among us, and the quiet and tranquillity of the whole realm. I have therefore thought fit at present (till other and further methods may be debated and resolved on) to require all the bishops within this province, and every of them, and I do hereby require them, that those three canons against popish recusants, agreed upon in the synod begun at London A. D. MDCIII. namely the LXVth, LXVIth, and the CXIVth be by them, and all that hold or exercise any jurisdiction under them, forthwith exactly observed and effectually put in ure; considering how acceptable a service it will be to Almighty God to assist his majesty's pious purpose herein, and on the other side, how severe a punishment the last canon of the three appoints to those, who shall neglect their duty herein, which will (I doubt not) without partiality or connivance be inflicted on them. My lord, my request to your lordship is, that you will not only take notice of all this yourself, but cause a copy hereof, by you attested, to be transmitted to every bishop of this province, in the name of

Your affectionate brother,

April 9, MDCLXXXI. W. CANT.

CLX.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Sancroft 4.	1681.	Carol. II. 33.

The king's warrant concerning ecclesiastical affairs.—Ex MS. penes Tho. episc. Assaven.

Charles R.

HAVING taken into our serious consideration, how much it will conduce to the glory of God, our own honour, and the welfare both of church and universities, that the most worthy and deserving men be preferred

The king's warrant] On the restoration, and after the passing of the act of uniformity, there were so many and such important ecclesiastical places vacant in the patronage of the crown, that trustees were appointed to nominate proper persons to succeed to them. "Dr. Sheldon," says Isaac Walton, "was by his majesty made a chief trustee to commend to him fit men to supply the then vacant bishoprics." But that the warrant issued in 1681 was really serviceable to the best interests of the church, cannot be supposed, when we consider either the composition of the board who were to select the proper persons, or the general prevalence of intrigue and duplicity among the courtiers of those unhappy times. And a case which bishop Burnet has recorded respecting himself, and which seems to have occurred a few months after the warrant was issued, shews, in a pregnant instance, the real value of the security that was afforded by it. "Lord Halifax pressed me vehemently to accept of preferment at court; and said if I would give him leave to make promises in my name, he would obtain for me any preferment I pleased.....The mastership of the temple was like to fall, and I liked that better than any thing else. So both lord Halifax and lord Clarendon moved the king upon it. He promised I should have it." The sequel of the narrative is an example of the strange method in which the king was accustomed to throw out in the same conversation, expressions of sincere attachment to the church of England, and of utter indifference respecting it; as though his memory had no more tenacity in it than his moral principles. Burnet, O. T. vol. ii. p. 294. Walton's Lives by Zouch, p. 421. No. CLXIX*. Tanner, MSS. vol. cclxxxii. p. 121.

and favoured according to their merit; and being satisfied that the lord archbishop of Canterbury, John earl of Radnor, George earl of Halifax, Lawrence viscount Hyde, the lord bishop of London, and Edward Seymour esq., are proper and competent judges in such cases; we have thought fit, and do hereby declare our pleasure to be, that neither of our principal secretaries of state do at any time move us on the behalf of any person whatsoever, for any preferment in the church, or any favour, or dispensation in either of our universities, without having first communicated both the person and the thing, by him desired, unto the said lord archbishop of Canterbury now, and for the time being, John earl of Radnor, George earl of Halifax, Lawrence viscount Hyde, the lord bishop of London now, and for the time being, and Edward Seymour esq., and without having the opinion and attestation of them, or any four of them in the case. And if at any time we be moved in like manner by any other person whatsoever; our pleasure is, and we do hereby declare, that neither of our principal secretaries shall present any warrant unto us for our royal signature in such a case, until the said lord archbishop of Canterbury, John earl of Radnor, George earl of Halifax, Lawrence viscount Hyde, the lord bishop of London, and Edward Seymour esq., have been acquainted therewith, and have given their opinion and attestation as aforesaid. And to the end that this our declaration may stand as a lasting and inviolable rule for the future; our further pleasure is, that the same be entered not only in both the offices of our said principal secretaries, but also in the signet office, there to remain as upon record. Given at our court at Windsor the 12th day of August, MDCLXXXI. in the XXXIII. year of our reign.

By his majesty's command,

L. JENKINS.

CLX*.

Archiepisc. Cant.	Annø Christi	Reg. Angliæ
Guil. Sancroft 7.	1684.	Carol. II. 36.

Suspensio Thomæ Wood, S. T. P. episcopi Lichf. et Covent· ab officiis ejus exequendis.—E Regist. Sancroft.

IN Dei nomine amen. Cum coram venerabili et egregio viro Dom. Ric. Lloyd milite et legum doctore surrogato venerabilis et egregii viri Dom. Rob. Wyseman militis et legum doctoris almæ curiæ Cantuariensis de Arcubus Londin. officialis principalis legitime constituti, quoddam negotium officii promotum per Philippum Jacob. gen. contra reverendum in Christo patrem ac dominum dominum Thomam permissione divina Covent. et Litchf. episcopum nuper pendebat et vertebatur: cumque dictum negotium per præfatum Philippum Jacob promotorem officii prædicti et præfatum reverendum patrem dominum Thomam episcopum antedictum commissum et relatum fuerit arbitrio reverendorum in Christo patrum ac dominorum dominorum Henrici permissione divina Londin. episcopi ac domini Wilh^mi^. permissione divina Petroburgensis episcopi arbitrorum hinc inde electorum per eos audiendum et terminandum, prout in actis hujus almæ curiæ Cantuariensis de Arcubus plenius liquet et apparet:

Suspensio Thomæ] "Thomas Wood, D.D. was consecrated bishop of Lichfield on the 2d of July 1671, and enjoyed that honour, though a person of no merit, unless it was for his preaching, to the time of his death. But so it was, that he not caring to live at Lichfield or Eccleshall (where is a seat belonging to the see), either for not being beloved, or to save charges, he retired to Hackney, and lived in the house where he was born, in an ordinary condition; whereupon Dr. Sancroft, archbishop of Canterbury, suspended him of his office. He died very wealthy at Astrop, near King's Sutton, in Northamptonshire, (where he had continued about two years for health's sake,) on the 18th of April, or thereabouts, in 1692." Ath. Oxon. vol. iv. p. 881. ed. Bliss. The suspension was removed in May 1686. D'Oyly's Life of Sancroft, vol. i. p. 194.

cumque dicti reverendi patres per judicium laudum sive sententiam eorum manibus et sigillis infra tempus eis præfixum et limitatum, subscriptum sigillatum et deliberatum inter alia in dicto judicio laudo sive sententia præfatum reverendum dominum Thomam permissione divina Covent. et Litchf. episcopum ab officio suo et functione episcopali et a beneficiis proficuis et perquisitis episcopatus prædicti suspendendum fore adjudicaverint et determinaverint, donec mihi Wilhelmo providentia divina Cantuariens. archiepiscopo plenam fecerit et debitam submissionem pro absentia sua a sua diœcesi, neglectu officii sui et cæteris criminibus contra eum allegatis et probatis: cum denique dictum judicium laudum et sententia arbitrorum antedictorum fuerit et sit per sententiam definitivam hujus almæ curiæ Cantuariensis de Arcubus confirmat. ratificat. et sententiat. Idcirco nos Wilhelmus providentia divina Cantuariensis archiepiscopus totius Angliæ primas et metropolitanus præfatum reverendum in Christo patrem ac dominum dominum Thomam permissione divina Covent. et Litchf. episcopum ab officio suo et functione episcopali et a beneficiis, proficuis et perquisitis episcopatus prædict. donec fecerit nobis plenam et debitam submissionem pro absentia sua a sua diœcesi neglectu officii sui et omnibus aliis criminibus contra eum allegatis et probatis, suspendimus in his scriptis.

W. Cant.

Lecta die Sabbath. 19 Julii 1684, inter horas undec. et duodec. antemeridianas per rev^m^. in Christo patrem ac dominum dominum Wilhelmum providentia divina Cantuar. archiep. in capella sua infra manerium suum de Lambehyth in com. Surriæ, ad humilem petitionem M. Everardi Erton etc. præsentibus tunc et ibidem reverendo in Christo patre ac domino domino Francisco permissione divina Roffen. episcopo ac reverendo in Christo patre Joanne permissione divina insulæ Man et Sodorensis episcopo domino Bristolen. electo.

CLXI.

Archiepisc. Cant. GUIL. SANCROFT 8. | Anno Christi 1685. | Reg. Angliæ JACOB. II. 1.

Articles for the better regulation of ordinations, and institutions, and other admissions to cure of souls, into which much abuse and many uncanonical practices have lately crept.—Ex autographo archiep. Sancroft apud Tho. episc. Assaven.

IT is agreed by and between the archbishop and bishops of the province of Canterbury, and they do hereby mutually and solemnly promise for themselves respectively to one another as followeth:

I. That they will henceforth ordain no man deacon, except he be 23 years old, unless he have a faculty; which the archbishop declares he will not grant, but upon very urgent occasion; nor priest, unless he be full

Articles for the better regulation] In the 2nd article it is stated that "none but those who are so ordained are by the late act of uniformity and the statute 13 Eliz. c. 12. §. 5. capable to be admitted to any benefice with cure." Whatever might be the construction of the stat. of Eliz. as applicable to the year 1685, it is certain that persons who had not been episcopally ordained, were admitted to benefices with cure of souls from the time of queen Eliz. to the commencement of the civil war. The practice was effectually prevented by the act of uniformity 13 and 14 Charles II. c. 4. See Nos. CII. CXLIX. Burnet, O. T. vol. i. p. 332. Baxter's Life, p. 448.

These articles are taken from the copy written by the archbishop, and now preserved in the Tanner MSS. vol. cclxxxii. p. 116. In an earlier copy of the same (at p. 144 of the same vol.) are the following notes in the archbishop's handwriting. "Letters dimissory from one bp to another. Priorius de l'ris Canonicis, p. 77. 86. 89, &c." and "In ordination of ministers three things required. 1) *μαρτυρία*. 1 Tim. iii. 7. good testimonials. 2) *δοκιμασία*. Ibid. examination. 3) *χειροθεσία*. 1 Tim. iv. 14. imposition of hands."

and complete 24 years old, as it is indispensably required in the preface to the book of ordination; nor unless the canonical age be either by an extract out of the register book of the parish, where the person to be ordained was born, under the hands of the minister and churchwardens there; or if no register be kept or found there, by some other means sufficiently attested.

II. That they will not admit or institute any person, who hath been formerly ordained, to cure of souls, unless it appear by a like testimonial, that when he was ordained, he was of canonical age; none but those who are so ordained being by the late act of uniformity and the statute 13 Eliz. c. 12. §. 5. capable to be admitted to any benefice with cure.

III. That they will ordain no man deacon or priest, who hath not taken some degree of school in one of the universities of this realm, unless the archbishop in some extraordinary case, and upon the express desire and request of the bishop ordaining, shall think fit to dispense with this particular, the person, so to be dispensed with, being in all things else qualified, as the said 34th canon requires.

IV. That they will ordain none but such, as either have lived within their respective dioceses for the three years last past, and are upon their own personal knowledge, or by the testimony of three of the neighbouring ministers, whom they think fit to rely upon, found to be worthy of what they pretend to, or else do exhibit sufficient and authentic testimony thereof from the bishop or bishops, within whose jurisdiction they have resided for the three last years, or from some college in one of the universities, in which they are, or lately have been gremials; to the end, that there may be (by one or more of these methods) sufficient moral assurance to the bishop, by competent witnesses, of the good life and conversation of the persons to be ordained, for full three years last

past, as the said canon requires. And the archbishop doth declare, that he will not give any man, beneficed in one diocese, a faculty to take and hold a benefice in another, unless the bishop, in whose diocese he is already beneficed, doth give him a fair dimission and testimony, together with his express consent to that very purpose.

V. That they will admit none to holy orders but such as are presented to some ecclesiastical preferment then void in that diocese, or have some other title specified and allowed in the 33rd canon; among which a curacy under a parson or vicar, during his pleasure, is not to be accounted to be one, unless that parson or vicar doth under his hand and seal, and before witnesses oblige himself to the bishop both to accept that person "bona fide" (when he shall be ordained and licensed by the bishop) to serve under him, and assist him, and also to allow him such salary, as the bishop shall approve of, so long as he shall continue doing his duty there; and lastly, not to put him out of that employment, but for reasons to be allowed by the bishop.

VI. That they will ordain no man, who hath a title allowed by the canon, if the benefice, to which that title relates, lie within another diocese, except he exhibit letters dimissory from the bishop, in whose diocese his title and employment is.

VII. That they will ordain no man, but upon the Lord's days, immediately following the "jejunia quatuor temporum," except he have a faculty to be ordained "extra tempora;" and such a faculty, the archbishop declares, he will not grant, but upon very urgent occasion, as (for instance) if one, who is not in full orders, be presented to some benefice; for of it since the late act of uniformity he is not capable, till he be ordained priest.

VIII. That they will ordain no man (of what qualities or gifts soever) both deacon and priest in one day, nor

any man priest, until he shall have continued in the office of a deacon the space of a whole year, and behaved himself faithfully and diligently in the same. And if upon urgent occasion, it shall for reasonable causes seem good unto the bishop to shorten that time, yet even in that case, there being four times of ordination in the year, he shall give the deacon's order in the end of one Ember week; and (if the case may bear that delay) the priest's order not till the next ensuing; or in the utmost necessity, not till the Sunday, or holiday next following; and that too not without a faculty. But in the same day none shall be made both deacon and priest, that some decent shadow at least, or footstep of so ancient and laudable a practice may be however retained and observed amongst us.

IX. That they will ordain none, but such as shall, a full month before the day of ordination, bring or send to the bishop notice in writing of their desire to enter into holy orders, together with such certificate of their age, and such testimonials of their behaviour and conversation, as are above required; to the end, that the bishop may (if he think fit) make further inquiry into all particulars, and also give open monitions to all men to except against such, as they may perhaps know not to be worthy, as it is expressly required by that excellent canon MDLXIV. and may be performed, as otherwise, so generally by affixing a schedule of the names of the candidates upon the doors of the cathedral, for as long time before, as they are given in: nor any, but such as shall also repair personally to the bishop in the beginning of the Ember week, or on Thursday in that week, at the latest; to the end, that there may be time for the strict and careful examination of every person, so to be ordained, both by the archdeacon, and by the bishop himself, and such other as shall assist him at the imposition of hands, or he shall think fit to employ herein; and that they may also be present in the

cathedral, and observe the solemn fast, and join in the solemn prayers, which are at that time to be put up to God in their behalf.

X. Lastly, That some time in the week, after every ordination, whether "intra," or "extra tempora," the bishop ordaining shall send a certificate under his hand and seal, attested by the archdeacon, and such other clergymen, as assisted at the ordination, containing the names and surnames of all the persons then ordained, the place of their birth, their age, the college where they were educated, with the degree they have taken in the university, the title upon which they are ordained, and upon whose letters dimissory, if they came out of another diocese; to which shall be subjoined a particular account of all such as then offered themselves to ordination, and were refused, as also of the reasons for which the bishop refused them. All which the archbishop doth undertake and promise to cause to be entered into a lieger book for that purpose, to the end that it may be, as it were "ecclesiæ matricula" for this province.

W. Asaph.

W. Cant.
William Norwich.
Fran. Ely.
Tho. Bath et Wells.

CLXII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Sancroft 10.	1687.	Jacob. II. 3.

King James the Second his gracious declaration to all his loving subjects for liberty of conscience.

James R.

IT having pleased Almighty God not only to bring us to the imperial crown of these kingdoms through the greatest difficulties, but to preserve us by a more than ordinary providence upon the throne of our royal ancestors; there is nothing now that we so earnestly desire, as to establish our government on such a foundation, as may make our subjects happy, and unite them to us by inclination as well as duty. Which we think can be done by no means so effectually, as by granting to them the free exercise of their religion for the time to come, and add that to the perfect enjoyment of their property; which has never been in any case invaded by us since our coming to the crown. Which being the two things men value most, shall ever be preserved in these kingdoms, during our reign over them, as the truest methods of their peace and our glory. We cannot but heartily

King James the Second] The first open rupture between king James II. and the established clergy was occasioned by the energy and ability they displayed in opposing the growth of popery. The king had republished in the year 1686 the directions concerning preachers which had been issued by king Charles II. in 1662 (see No. CLI.), but under circumstances so different from those of the preceding reign, and with a purpose so hostile to the cause of protestantism, that no attention was paid to his directions, and sermons were preached and treatises published, carrying the war against the church of Rome into every

wish, as it will easily be believed, that all the people of our dominions were members of the catholic church; yet we humbly thank Almighty God, it is, and hath of long time been our constant sense and opinion, (which upon divers occasions we have declared,) that conscience ought not to be constrained, nor people forced in matters of mere religion: it has ever been directly contrary to our inclination, as we think it is to the interest of government, which it destroys by spoiling trade, depopulating countries, and discouraging strangers, and finally, that it never obtained the end for which it was employed. And in this we are the more confirmed by the reflections we have made upon the conduct of the four last reigns. For after all the frequent and pressing endeavours that were used in each of them, to reduce this kingdom to an exact conformity in religion, it is visible the success has not answered the design, and that the difficulty is invincible. We therefore out of our princely care and affection unto all our loving subjects, that they may live at ease and quiet, and for the increase of trade, and encouragement of strangers, have thought fit by virtue of our royal prerogative to issue forth this our declaration of indulgence; making no doubt of the concurrence of our two houses of parliament, when we shall think it convenient for them to meet.

In the first place we do declare, that we will protect and maintain our archbishops, bishops, and clergy, and all

quarter of the controversy. The wrath of the king fell in the first instance on the bishop of London, for refusing to suspend Dr. Sharp, on account of some controversial sermons preached at St. Giles'; and the bishop was summoned before the court of ecclesiastical commission, which had recently been restored in direct opposition to the law, and was himself suspended from his episcopal office. But having once declared his hostility to the established church, the king took measures for increasing the number and strength of his supporters. He opened offices for granting dispensations and licenses to dissenters, in the hope that as they had obtained independence through his assistance, they

other our subjects of the church of England in the free exercise of their religion as by law established, and in the quiet and full enjoyment of all their possessions without any molestation or disturbance whatsoever.

We do likewise declare, that it is our royal will and pleasure, that from henceforth the execution of all, and all manner of penal laws in matters ecclesiastical, for not coming to church, or not receiving the sacrament, or for any other nonconformity to the religion established, or for, or by reason of the exercise of religion in any manner whatsoever, be immediately suspended; and the further execution of the said penal laws and every of them is hereby suspended.

And to the end, that by the liberty hereby granted, the peace and security of our government in the practice thereof may not be endangered, we have thought fit, and do hereby straitly charge and command all our loving subjects, that as we do freely give them leave to meet and serve God after their own way and manner, be it in private houses or places purposely hired or built for that use; so that they take especial care, that nothing be preached or taught amongst them, which may any ways tend to alienate the hearts of our people from us or our government; and that their meetings and assemblies be peaceably, openly, and publicly held, and all persons freely admitted to them; and that they do signify and make known to some one or more of the next justices

would be induced by a sense of gratitude to promote his wishes; and to attach them to him the more completely, he determined to release them altogether from the operation of the test and the penal laws. He accordingly issued his declaration for liberty of conscience, a measure, which, though it professed to have arisen from the most paternal and patriotic feeling, had slavery for its object, and made use of revolutionary methods in order to accomplish it. Kennet. vol. iii. p. 486. Neal, Purit. vol. iii. p. 266. Burnet, O. T. vol. iii. p. 161. Baxter's Life, p. 375. Clarke's James II. vol. ii. pp. 91. 112. Lingard, vol. viii. p. 303.

of the peace, what place or places they set apart for those uses.

And that all our subjects may enjoy such their religious assemblies with greater assurance and protection, we have thought it requisite and do hereby command, that no disturbance of any kind be made or given unto them, under pain of our displeasure, and to be further proceeded against with the utmost severity.

And forasmuch as we are desirous to have the benefit of the service of all our loving subjects, which by the law of nature is inseparably annexed to, and inherent in our royal person; and that none of our subjects may for the future be under any discouragement or disability (who are otherwise well inclined and fit to serve us) by reason of some oaths or tests, that have been usually administered on such occasions; we do hereby further declare, that it is our royal will and pleasure, that the oaths commonly called "The oaths of supremacy and allegiance," and also the several tests and declarations mentioned in the acts of parliament made in the 25th and 30th years of the reign of our late royal brother king Charles II. shall not at any time hereafter be required to be taken, declared, or subscribed by any person or persons whatsoever, who is or shall be employed in any office or place of trust either civil or military under us, or in our government. And we do further declare it to be our pleasure and intention from time to time hereafter, to grant our royal dispensations under our great seal to all our loving subjects so to be employed; who shall not take the said oaths, or subscribe or declare the said tests or declarations in the above mentioned acts, and every of them.

And to the end that all our loving subjects may receive and enjoy the full benefit and advantage of our gracious indulgence hereby intended, and may be acquitted and discharged from all pains, penalties, forfeitures, and disabilities by them or any of them incurred, or forfeited, or

which they shall or may at any time hereafter be liable to, for or by reason of their nonconformity, or the exercise of their religion, and from all suits, troubles, or disturbances for the same; we do hereby give our free and ample pardon unto all nonconformists, recusants, and other our loving subjects, for all crimes and things by them committed or done contrary to the penal laws, formerly made relating to religion, and the profession or exercise thereof; hereby declaring that this our royal pardon and indemnity shall be as good and effectual to all intents and purposes, as if every individual person had been therein particularly named, or had particular pardons under our great seal, which we do likewise declare shall from time to time be granted unto any person or persons desiring the same: willing and requiring our judges, justices, and other officers to take notice of and obey our royal will and pleasure herein before declared.

And although the freedom and assurance, we have hereby given in relation to religion and property, might be sufficient to remove from the minds of our loving subjects all fears and jealousies in relation to either; yet we have thought fit further to declare, that we will maintain them in all their properties and possessions, as well of church and abbey lands, as in any other their lands and properties whatsoever. Given at our court at Whitehall the fourth day of April, MDCLXXXVII. in the third year of our reign.

CLXIII.

Archiepisc. Cant. GUIL. SANCROFT II. | Anno Christi 1688. | Reg. Angliæ JACOB. II. 4.

The king's declaration for liberty of conscience.

OUR conduct has been such in all times, as ought to have persuaded the world, that we are firm and constant to our resolutions: yet that easy people may not be abused by the malice of crafty wicked men, we think fit to declare, that our intentions are not changed since the 4th of April MDCLXXXVII. when we issued out our declaration for liberty of conscience in the following terms. [Here the declaration was recited verbatim, and then follows] Ever since we granted this indulgence, we have made it our principal care to see it preserved without distinction, as we are encouraged to do daily by multitudes of addresses, and many other assurances we receive from our subjects of all persuasions, as testimonies of their satisfaction and duty; the effects of which we

The king's declaration] King James had not allowed his parliament to meet for the dispatch of business since the 20th of November 1685, and had dissolved it on the 2nd of July 1687. His next object therefore was to make such appointments in all offices both civil and military throughout the kingdom, as might influence future elections, and dispose public opinion in favour of his measures. His designs for the restoration of popery were announced without disguise or reservation, and he republished his "Declaration for liberty of conscience," still using it as his great weapon for the destruction of the established church, but now adding the further violence of making the church itself instrumental in the publication of it. The declaration bears date the 7th of April 1688, and on the 4th of May ensuing his majesty in council ordered that it should be "read at the usual time of divine service upon the 20th and 27th of this month in all churches and chapels within the cities of London and Westminster, and ten miles thereabouts;

doubt not but the next parliament will plainly shew; and that it will not be in vain, that we have resolved to use our utmost endeavours to establish liberty of conscience on such just and equal foundation, as will render it unalterable, and secure to all people the free exercise of their religion for ever; by which future ages may reap the benefit of what is so undoubtedly for the general good of the whole kingdom. It is such a security we desire, without the burden and constraint of oaths and tests, which have been unhappily made by some governments, but could never support any; nor should men be advanced by such means to offices and employments, which ought to be the reward of services, fidelity, and merit. We must conclude, that not only good Christians will join in this, but whoever is concerned for the increase of the wealth and power of the nation. It would perhaps prejudice some of our neighbours, who might lose part of those vast advantages they now enjoy, if liberty of conscience were settled in these kingdoms, which are above all others, most capable of improvements, and of commanding the trade of the world. In pursuance of this great work, we have been forced to make many changes both of civil and military officers throughout our dominions, not thinking any ought to be employed in our

and upon the 3rd and 10th of June next in all other churches and chapels throughout the kingdom;" and it was further ordered "that the right reverend the bishops cause the said declaration to be sent and distributed throughout their several and respective dioceses to be read accordingly." (Kennet, vol. iii. p. 509. Burnet, O. T. vol. iii. p. 222. Lingard, vol. viii. p. 439. Clarke's James II. vol. ii. p. 115.) In the summer of the same year the king issued instructions to the judges of assize, requiring them to call upon all persons to support his Declaration, and urging that "the free exercise of religion has been the chief visible cause of the great riches that some of our nearest neighbours enjoy, and would be the certain means to make these kingdoms populous, and the chiefest place of trade in the Christian world." Tanner, MSS. vol. xxviii. p. 100.

service, who will not contribute towards establishing the peace and greatness of their country, which we most earnestly desire, as unbiassed men may see by the whole conduct of our government, and by the condition of our fleet, and of our armies, which with good management shall be constantly the same, and greater, if the safety or honour of the nation require it. We recommend these considerations to all our subjects, and that they will reflect on their present ease and happiness, how for above three years that it hath pleased God to permit us to reign over these kingdoms, we have not appeared to be that prince, our enemies would have made the world afraid of; our chief aim having been not to be the oppressor, but the father of our people; of which we can give no better evidence, than by conjuring them to lay aside all private animosities, as well as groundless jealousies, and to choose such members of parliament, as may do their parts to finish what we have begun for the advantage of the monarchy, over which Almighty God has placed us; being resolved to call a parliament, that shall meet in November next at furthest. Given at our court at Whitehall the 27th day of April MDCLXXXVIII. in the fourth year of our reign.

CLXIV.

Archiepisc. Cant.	Anno Christi	Reg Angliæ
Guil. Sancroft II.	1688.	Jacob. II. 4.

The petition of William Sancroft, archbishop of Canterbury, William Lloyd, bishop of St. Asaph, Thomas Kenn, bishop of Bath and Wells, Francis Turner, bishop of Ely, John Lake, bishop of Chichester, Thomas White, bishop of Peterborough, and Jonathan Trelawny, bishop of Bristol, against publishing the king's declaration for liberty of conscience, presented to the king May 18, MDCLXXXVIII.

To the king's most excellent majesty.

The humble petition of William, archbishop of Canterbury, and of divers of the suffragan bishops of that province, now present with him, in behalf of themselves, and others of their absent brethren, and of the clergy of their respective dioceses,

Humbly sheweth,

THAT the great averseness they find in themselves to the distributing and publishing in all their churches your majesty's late declaration for liberty of conscience, proceeds neither from any want of duty and obedience to your majesty (our holy mother the church of England

The petition of William Sancroft] This petition, which was followed by the trial and acquittal of the seven bishops named in it, and may be considered as the one act, above all others, decisive of the fortunes of king James II., is memorable not only as giving its support at a critical moment to a great constitutional principle, but also as alleging reasons, which would seem to be inconclusive and inadequate to the occasion. It states that "such a dispensing power as the king had been exercising had been often declared illegal in parliament, and particularly in the years 1662 and 1672 and in the beginning of his majesty's reign,"

being both in her principles and constant practice unquestionably loyal, and having to her great honour, been more than once publicly acknowledged to be so by your gracious majesty) nor yet from any want of due tenderness to dissenters, in relation to whom they are willing to

making this the sole ground for resisting a command issued by the lawful governor and supreme head of the church. Now in the year 1672 (and it is not necessary to examine the circumstances of the earlier case,) it was only the house of commons that expressed a disapproval of king Charles' dispensations; and the lords, when the papers connected with the transaction had been communicated to them, passed a vote of thanks for the royal message, as they thence obtained "the means of shewing their duty to his majesty, and asserting the ancient just rights and privileges of the house of peers." Afterwards in the beginning of king James' reign (in November 1685), when the commons addressed the king respecting the popish recusants in the army, (whose commissions were held by royal dispensation,) and alleged that "the continuance of them in their employments may be taken to be a dispensing with the law without act of parliament," it was proposed, that the lords should be desired to concur in the address, but the vote passed in the negative. And besides the indication afforded by this unwillingness to consult the house of lords on so solemn an occasion, there are other reasons for doubting whether that house would have concurred in denying to the king the power of dispensing with the observance of acts of parliament; for at the time of the revolution, when the lords had seen further reasons for marking out and limiting the extent of the king's prerogative, they could not be brought to declare the dispensing power to be altogether illegal, but only "as it had been assumed and exercised of late." So that the bishops in alleging the authority of parliament, took merely the opinion of the commons, who were judicially incompetent to decide; the other house, which was competent, having pronounced no opinion on the subject, and being more likely, if an occasion had offered itself, to have decided otherwise.

It is clear from a paper which is preserved among the archbishop's MSS. in the Bodleian (Tanner MSS. vol. xxviii. No. 80.), and contains minutes of the speech prepared to be delivered by him at his trial, that the real ground of objection to the king's exercise of his dispensing power was, not its illegality, but its incompatibility with a free form of government. The paper notices indeed the votes of the house of commons that have been already considered; it also refers to a letter of remonstrance written by archbishop Abbot to king James I. in the

come to such a temper, as shall be thought fit, when that matter shall be considered and settled in parliament and convocation: but among many other considerations, from this especially; because that declaration is founded upon such a dispensing power, as hath been often declared il-

year 1623 on occasion of certain indulgences attempted to be granted by means of proclamations (see Tanner MSS. vol. lxxxii. p. 365), and mentions some other facts of a like nature, and of no greater authority; but its main argument consists in the following observations: "It was apparent that if the king had that power, which in those declarations he had exercised, the reformation itself was become arbitrary, and that the church of England, as it was the religion of the state, had no other subsistence but by the king's mere favour . . . . that all the acts of uniformity and all the acts for taking the oaths of allegiance and supremacy and the tests are suspended and dispensed with; all which laws are so much the fences, the mounds and the bulwarks of the protestant religion and the church of England, that no man can concur to the weakening or destroying of them without betraying at once his religion and the laws of the land."

And certainly if the case were treated only as a legal question, the king had great authorities in his favour. Lord Bacon in his Elements of the Common Law (Works, vol. iv. p. 62) says, that it is "an inseparable prerogative of the crown to dispense with politic statutes of a given kind: sir Edward Coke (12 Rep. p. 18) says, that "no act of parliament can bind the king from any prerogative which is sole and inseparable to his person, but that he may dispense with it by a non-obstante:" and in the recent case of sir Edward Hales, in which it was sought to recover a penalty imposed by the test act, and the strength of the prerogative was tried in a distinct and apposite issue, eleven out of the twelve judges decided in favour of the king's dispensation. It was evident that a power so vague and revolutionary, exercised too in a manner so unsparing, could not long be allowed to continue in its existing condition; and it was accordingly declared in the bill of rights (1 of Will. and Mary, sess. 2. c. 2), that the pretended power of suspending or dispensing with laws, or the execution of laws, by regal authority, without consent of parliament, was illegal. Lords' and Commons' Journals. Blackst. Comm. Hallam, vol. ii. pp. 406. 450. Burnet, O. T. vol. iii. pp. 227. 400. Neal, Purit. vol. iii. p. 301. Collect. Curiosa, vol. i. p. 365. D'Oyly's Sancroft, vol. i. p. 258. Calamy's Life, vol. i. pp. 199. 334. Clarke's James II. vol. ii. pp. 81. 152. Lingard, vol. viii. p. 372.

legal in parliament, and particularly in the years MDCLXII., MDCLXXII. and in the beginning of your majesty's reign; and is a matter of so great moment and consequence to the whole nation, both in church and state, that your petitioners cannot in prudence, honour, or conscience so far make themselves parties to it, as the distribution of it all over the nation, and the solemn publication of it once and again even in God's house, and in the time of his divine service must amount to in common and reasonable construction. Your petitioners therefore most humbly and earnestly beseech your majesty, that you will be graciously pleased not to insist upon their distributing and reading your majesty's said declaration.

And your petitioners shall ever pray, etc.

CLXV.

Archiepisc. Cant. Guil. Sancroft II. | Anno Christi 1688. | Reg. Angliæ Jacob. II. 4.

The articles recommended by the archbishop of Cant. to all the bishops within his metropolitan jurisdiction.

Sir,

YESTERDAY the archbishop of Cant. delivered the articles, which I send you enclosed, to those bishops, who are at present in this place, and ordered copies of them to be likewise sent, in his name, to the absent

The articles recommended] The trial of the seven bishops took place on the 29th of June, and in the following month the archbishop addressed these articles to the bishops of his province. The matter most deserving of notice in them is the different tone adopted with reference to the protestant dissenters; and the change was occasioned by the sense of common danger that had been created in both parties from the encroachments of popery, and by the respect and gratitude which many of the nonconformists paid to the established clergy for their great services in the common cause of protestantism. In the MSS.

bishops. By the contents of them you will see that the storm, in which he is, does not frighten him from doing his duty, but rather awakens him to do it with so much the more vigour. And indeed the zeal, which he expresses in these articles, both against the corruptions of the church of Rome on the one hand, and the unhappy differences that are among protestants on the other, are

minutes for the archbishop's speech we find the following notice: "Here may be said what shall be judged convenient about taking off penal laws against dissenters;" and we know from other sources that he had already arranged a plan for comprehending many of them within the established church, and was employing some of the most eminent divines of the time in preparing it for the convocation. The following account of the matter was given by Dr. Wake, then bishop of Lincoln, in the speech that he delivered in the year 1710, at the trial of Dr. Sacheverel: "Towards the end of that unhappy reign, when we were in the height of our labours, defending the church of England against the assaults of popery, and thought of nothing else, that wise prelate [archbishop Sancroft] foreseeing some such revolution as soon after was happily brought about, began to consider how utterly unprepared they had been at the restoration of king Charles II. to settle many things to the advantage of the church; and what a happy opportunity had been lost, for want of such a previous care for its more perfect establishment. It was visible to all the nation, that the more moderate dissenters were generally so well satisfied with that stand which our divines had made against popery, and the many unanswerable treatises they had published in confutation of it, as to express an unusual readiness to come in to us ..... The design was in short this; to improve, and if possible to enforce, our discipline; to review and enlarge our liturgy by correcting some things, by adding others; and, if it should be thought advisable by authority, when this matter should come to be legally considered, first in convocation, then in parliament, by leaving some few ceremonies, confessed to be indifferent in their nature, as indifferent in their usage, so as not to be necessarily observed by those who make a scruple of them, till they should be able to overcome either their weaknesses or prejudices, and be willing to comply with them. How far this good design was not only known to, but approved by, the other fathers of our church, that famous petition, for which seven of them were sent to the Tower, and which contributed so much to our deliverance, may suffice to shew. The willing-

such apostolical things, that all good men rejoice to see so good a prelate at the head of our church, who in this critical time has had the courage to do his duty in so signal a manner.

I am, Sir, yours.

London, July 27,
MDCLXXXVIII.

Some heads of things to be more fully insisted upon by the bishops in their addresses to the clergy, and people of their respective dioceses.

I. THAT the clergy often read over the forms of their ordination, and seriously consider what solemn vows and professions they made therein to God and his church, together with the several oaths and subscriptions they have taken and made upon divers occasions.

II. That in compliance with those and other obligations, they be active and zealous in all the parts and instances of their duty, and especially strict and exact in

ness they there declared of coming to such a temper as should be thought fit with the dissenters, when that matter should be considered and settled in parliament and convocation, manifestly referred to what was then known to several, if not all, of the subscribers, to have been at that very time under deliberation." The king's wrath against the dissenters is expressed in the Stuart papers in the following manner: "They joined hands and voices with the church of England party, so far at least as to rail against the church of Rome, and talk of nothing but fire and fagot, as if Smithfield had been all in a blaze; when the king's tenderness made it his principal care that there should not be the least fine inflicted for religion's sake; but this (they were told) might be catalogued amongst their other thankful returns for the king's snatching them out of the fire, and losing his credit with the church party, for having gathered those vipers from the dunghill where the laws had laid them, and cherishing them in his bosom till they stung him with reproaches, as false as they were villainous and ungrateful."

Among the Tanner MSS. (vol. ccc. p. 270.) is a paper in the hand-writing of the archbishop, entitled "For the regulation of ecclesiastical affairs," and containing provisions on all the points complained of in

all holy conversation, that so they may become examples to the flock.

III. To this end, that they be constantly resident upon their cures in their incumbent houses, and keep sober hospitality there, according to their abilities.

IV. That they diligently catechise the children and youth of their parishes, (as the rubrics of the Common Prayer book and the LIXth canon enjoin,) and so prepare them to be brought in due time to confirmation, when there shall be opportunity; and that they also at the same time expound the grounds of religion, and the common Christianity in the method of the catechism, for the instruction and benefit of the whole parish, teaching them what they are to believe and what to do, and what to pray for, and particularly often and earnestly inculcating upon them the importance and obligation of their baptismal vows.

V. That they perform the daily office publicly (with all decency, affection, and gravity) in all market and other great towns, and even in villages and less populous

the government of the church, such as excommunication, commutation of penance, appeals, pluralities, lay-impropriations, peculiars, and the punishment of scandalous clergymen. Among the same MSS. (vol. xxviii. p. 93), and also in the archbishop's handwriting, is the original of these "Heads of things," and the present reprint has been taken from it. It is worthy of remark, that in first writing the paper the archbishop had placed the 11th article (respecting dissenters) before the tenth (respecting Romanists); but was induced to reverse the order afterwards. In the same vol. (p. 94) is also the archbishop's first draft of this paper, from the corrections in which may be seen the great care he took to exclude any suspicion of sympathy with the Romanists, and to cultivate a good understanding with the protestant dissenters.

The letter which precedes the "Heads of things" was prefixed in the printed circular issued at the time by the archbishop, and may be seen in the Tanner papers, vol. xxviii. p. 97. Sacheverel's Trial, p. 213. D'Oyly's Sancroft, vol. i. p. 327. Neal, Purit. vol. iii. p. 305. Burnet, Own Times, vol. iv. p. 53. Baxter's Life, p. 383. Clarke's James II. vol. ii. p. 169.

places bring people to public prayers as frequently as may be, especially on such days, and at such times, as the rubrics and canons appoint, on holidays and their eves, on Ember and Rogation days, on Wednesdays and Fridays in each week, especially in Advent and Lent.

VI. That they use their utmost endeavour, both in their sermons, and by private applications, to prevail with such of their flock, as are of competent age, to receive frequently the holy communion; and to this end that they administer it in the greater towns once in every month, and even in the lesser too, if communicants may be procured, or however as oft as they may, and that they take all due care, both by preaching and otherwise, to prepare all for the worthy receiving of it.

VII. That in their sermons they teach and inform their people (four times a year at the least, as the first canon requires) that all usurped and foreign jurisdiction is for most just causes taken away and abolished in this realm, and no manner of obedience or subjection due to the same, or to any that pretend to act by virtue of it; but that the king's power being in his dominions highest under God, they upon all occasions persuade the people to loyalty and obedience to his majesty in all things lawful, and to patient submission in the rest; promoting (as far as in them lies) the public peace and quiet of the world.

VIII. That they maintain fair correspondence (full of the kindest respects of all sorts) with the gentry and persons of quality in their neighbourhood; as being deeply sensible, what seasonable assistance and countenance this poor church hath received from them, in her necessities.

IX. That they often exhort all those of our communion to continue steadfast to the end in their most holy faith, and constant to their professions; and to that end, to take heed of all seducers, and especially of popish emissaries, who are now in great numbers gone forth amongst

them, and more busy and active than ever; and that they take all occasions to convince our own, that it is not enough for them to be members of an excellent church, rightly and duly reformed both in faith and worship, unless they also reform and amend their own lives, and so order their conversations in all things, as becomes the gospel of Christ.

X. And forasmuch as those Romish emissaries, like the old serpent, "insidiantur calcaneo," are wont to be most busy and troublesome to our people at the end of their lives, labouring to unsettle and perplex them in the time of sickness and at the hour of death; that therefore all, who have the cure of souls, be more especially vigilant over them at that dangerous season, that they stay not till they be sent for, but inquire out the sick in their respective parishes, and visit them frequently; that they examine them particularly concerning the state of their souls, and instruct them in their duties, and settle them in their doubts, and comfort them in their sorrows and sufferings, and pray often with them, and for them, and by all the methods, which our church prescribes, prepare themselves for the due and worthy receiving of the holy eucharist, the pledge of their happy resurrection; thus with their utmost diligence watching over every sheep within their fold (especially in that critical moment) lest those evening wolves devour them.

XI. That they also walk in wisdom towards those, who are not of our communion; and if there be in their parishes any such, that they neglect not frequently to confer with them in the spirit of meekness, seeking by all good ways and means to gain and win them over to our communion. More especially, that they have a very tender regard to our brethren, the protestant dissenters, that upon occasion offered they visit them at their houses, and receive them kindly at their own, and treat them fairly wherever they meet them, discoursing calmly and

civilly with them, persuading them (if it may be) to a full compliance with our church, or at least, that whereto we have already attained, we may all walk by the same rule, and mind the same thing. And in order hereunto, that they take all opportunities of assuring and convincing them, that the bishops of this church are really and sincerely irreconcilable enemies to the errors, superstitions, idolatries, and tyrannies of the church of Rome, and that the very unkind jealousies, which some have had of us to the contrary, were altogether groundless.

And in the last place, that they warmly and most affectionately exhort them to join with us in daily fervent prayer to the God of peace, for an universal blessed union of all reformed churches, both at home and abroad, against our common enemies; that all they, who do confess the holy name of our dear Lord, and do agree in the truth of his holy word, may also meet in one holy communion, and live in perfect unity and godly love.

CLXVI.

Archiepisc. Cant. suspenso. | Anno Christi 1689. | Reg. Angliæ Guiliel. et Mar. 2.

His majesty's letter to the reverend father in God, Henry, lord bishop of London, to be communicated to the two provinces of Canterbury and York.

William R.

RIGHT reverend father in God, we greet you well. Whereas the advancement of the honour and service of Almighty God, and of the protestant religion, which

His majesty's letter] Archbishop Sancroft was suspended from his office on the 1st of August 1689, and deprived on the 1st of February following. Dr. Tillotson, then dean of Canterbury, was appointed by the chapter of his cathedral to exercise the archiepiscopal jurisdiction during the suspension, and was nominated by the king to the archbishopric on the 23rd of April 1691.

by his wonderful providence hath been preserved and established in these kingdoms, ought to be the chief part of our royal care; in order to this, as we have oftentimes declared that we would take the church of England, by law established, into our particular protection and favour, so we take this occasion to renew these assurances, being resolved to do all we can for the support and strengthening of it, preserving withal the liberty of conscience to all our protestant subjects, which by our laws they now enjoy.

And because the welfare, peace, and honour of this church depends so much upon all persons faithfully doing their duties in their several places and functions; we therefore first of all charge and require you the bishops of this our church, to apply yourselves with all diligence and zeal to the duties of your episcopal function, according to the word of God, the orders of this church, and the laws of this our realm.

More especially as to the ordination of ministers, we require you to use all possible care and strictness in examining and inquiring into the lives and learning of such persons, as desire to be admitted into holy orders; and herein constantly to observe the canons relating thereunto, the neglect whereof we shall strictly inquire into, and take care that it be punished according to law.

We also charge and require you, to keep a strict watch over all the clergy in your respective dioceses, to see that they be duly resident upon their livings, according to the laws in that case provided; and that they be constant and diligent in their duties, performing the public offices of worship gravely and devoutly, preaching the word of God plainly and practically, without running into needless controversies, and administering of the holy sacraments frequently, with that reverence, which is due to the institutions of Christ, also catechizing the youth, visiting the sick and distressed, and doing all such things

in their stations, as may tend to promote the honour of God, and true religion, together with peace and charity among all their neighbours; themselves giving a good example to their flock, by walking before them in all holy conversation and godliness.

And the more effectually to prevent the scandals that may arise by any disorders in the lives of those, who ought to be examples to others, you shall admonish them religiously to observe the canon entitled "Sober conversation required in ministers;" and you shall severally and impartially proceed by ecclesiastical censures against all such of your clergy, as shall be found guilty of any notorious violation of this or any other law or canons, relating to their duty.

And for the better encouragement of deserving men, as we intend to make it a rule to ourself, so we also require it of you in disposing of church preferments, to have a special regard to such persons, as by their piety, learning, diligence, and peaceableness do most promote the honour of God, and the edification of his church.

And because, as our duty requires, we most earnestly desire and shall endeavour a general reformation in the lives and manners of all our subjects, as being that which must establish our throne, and secure to our people their religion, happiness, and peace; all which seem to be in great danger at this time, by reason of that overflowing of vice, which is too notorious in this, as well as other neighbouring nations; we therefore require you, to order all the clergy to preach frequently against those particular sins and vices, which are most prevailing in this realm, and that on every of those Lord's days, on which any such sermon is to be preached, they do also read to their people such statute law or laws, as are provided against that vice or sin, which is their subject on that day; as namely against blasphemy[a], swearing, and cursing, against

[a] xxi. Jac. c. XX.

perjury[b], against drunkenness[c] and against profanation[d] of the Lord's day; all which statutes we have ordered to be printed together with these our letters, that so they may be transmitted by you to every parish within this our realm.

And whereas there is as yet no sufficient provision made by any statute law for the punishing of adultery and fornication, you shall therefore require all churchwardens in your dioceses to present impartially all those that are guilty of any such crimes in their several parishes; and upon such presentments we require you to proceed without delay, and upon sufficient proof to inflict those censures, which are appointed by our ecclesiastical laws against such offenders. In doing whereof according to your duty, you shall not want our effectual assistance and support.

And for the better carrying on of so good a work, we do in the last place charge and require you to preach frequently yourselves; to confer often with your clergy; and to inquire by all proper means into all abuses and corruptions in your dioceses, in order to a full and speedy reformation; and all this not only as you shall answer it to us, but also considering the great charge that God hath committed to you, and the account that you must give him for it at the great day. And so we bid you heartily farewell. Given at our court at Whitehall the thirteenth day of February, MDCLXXXIX. in the second year of our reign.

By his majesty's command.

SHREWSBURY.

[b] v. Eliz. c. IX. [c] IV. Jac. c. V. XXI. Jac. c. VII.
[d] XXIX. Car. II. c. VII.

CLXVII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
THO. TENISON 1.	1694.	GUILIEL. III. 7.

Injunctions given by the king's majesty to the archbishops of this realm, to be communicated by them to the bishops, and the rest of the clergy.

To the most reverend father in God, our right trusty and right entirely beloved counsellor Thomas, lord archbishop of Canterbury, and to the most reverend father in God John, lord archbishop of York.

WILLIAM R.

MOST reverend father in God, our right trusty and right entirely beloved counsellor; and most reverend father in God, we greet you well. We being very sensible, that nothing can more effectually conduce to the honour and glory of God, and the support of the protestant religion, than the protecting and maintaining of the church of England, as it is by law established; which we are resolved to do to the utmost of our power; have therefore upon mature deliberation with you and other our bishops, by virtue of our royal and supreme authority, thought fit, with the advice of our privy council, to ordain and publish the following injunctions.

I. That the 34th and 35th canons concerning ordinations be strictly observed.

II. That every person, to be admitted to holy orders, do signify his name and the place of his abode to the

Injunctions given] Archbishop Tillotson died on the 22nd of Nov. 1694, and Dr. Tenison, then bishop of Lincoln, was nominated to the archbishopric by the king in council on the 6th of December following. Kennet, vol. iii. p. 678. Baxter's Life, p. 541.

bishop fourteen days before he is ordained, to the end that inquiry may be made into his life and conversation. And that he appear at the furthest on Thursday in Ember week, that so such, who upon examination shall be found fit, may have time to prepare themselves by fasting and prayer, before the day of ordination.

III. That every bishop shall be well satisfied, that all persons that are to be ordained, have a real title with a sufficient maintenance, according to the 33rd canon, in which matter we require the bishops to use an especial care.

IV. That a certificate of the age of the person to be ordained, be brought, if it can be, out of the parish register, or at least a certificate very well attested.

V. That the part of the 34th canon, which relates to the giving of certificates concerning the lives and manners of those, who are to be ordained, be strictly looked to. And that the bishops lay it on the consciences of the clergy, that they sign no certificates, unless, upon their own knowledge, they judge the persons to be duly qualified.

VI. That every bishop shall transmit, between Michaelmas and Christmas, to the archbishop of the province a list of all such persons, as have been ordained by him during that year, according to the constitutions in the year MDLXXXIV. in order to be put in a public register, which shall be prepared by you for that use.

VII. That the bishops shall reside in their dioceses, and shall take care to oblige their clergy to such residence, as the laws of the land and the canons do require, particularly the 41st canon.

VIII. That they, who keep curates, have none but such as are licensed by the bishop of the diocese, or in exempt jurisdictions by the ordinary of the place having episcopal jurisdiction, as is required both by the act of uniformity and the 48th canon, that so when the incum-

bent does not reside, the bishop, or such ordinary may know how the cure is supplied; and that no person shall presume to serve any cure without license from the bishop, or such ordinary, upon pain of suspension.

IX. That you use your most effectual endeavours to suppress the great abuses occasioned by pluralities, and restrain them as much as you can, except where the parishes lie near one another, and the livings are small: that all qualifications be carefully examined; we being determined to have no chaplains to be qualified by us, but such as are admitted to attend upon us. And that due caution be taken before any faculty is granted. And that such persons as are legally qualified shall reside at least two months in the year in each of their livings; and provide a curate to serve where they are not in person, with a due maintenance to be determined by the bishop of the diocese, unless the two parishes lie so near, that the incumbent can constantly serve both cures.

X. That the bishops shall look to the lives and manners of their clergy, that they may be in all things regular and exemplary, according to the 75th canon.

XI. That the bishops do use their utmost endeavour to oblige their clergy to have public prayers in the church, not only on holidays, and litany days, but as often as may be, and to celebrate the holy sacrament frequently.

XII. That the bishops shall require the clergy to use their utmost endeavours, that the Lord's day be religiously observed. That they set a good example to their people, and exhort them frequently to their duty herein.

XIII. That the bishops remind their clergy to visit the sick frequently, and require them to perform that duty with great care and diligence according to the 67th canon.

XIV. That catechizing be duly performed, according to the 59th canon.

XV. That the bishops be careful to confirm, not only

in their triennial visitations, but at other convenient seasons.

XVI. That care be taken, that the archdeacons make their visitations personally; and that, as much as may be, they live within the bounds of their jurisdiction, and do their duty according to the canons.

XVII. That no commutation of penance shall be made, but by the express order and directions of the bishop himself, which shall be declared in open court. And that the commutation money shall be applied only to pious and charitable uses, according to the "articuli pro clero" made in the year MDLXXXIV. and the constitutions made in the year MDXCVII.

XVIII. That no license for marriage without banns shall be granted by any ecclesiastical judge, without first taking the oaths of two sufficient witnesses, and also sufficient security for performance of the conditions of the license, according to the 102nd and 103rd canons.

These injunctions we do require you to transmit to the bishops of your respective provinces, to be by them communicated to their clergy, and to be strictly observed, and often inquired after both by you and them. For as we esteem it the chief part of our princely care to promote true religion, as it is established in this church; and in order thereunto, we have determined not to dispose of any church preferments in our gift, but to such of our clergy as we shall have reason to believe do live most exemplarily, and preach and watch most faithfully over the people committed to their charge; so we assure ourself, that these our pious intentions will be effectually seconded by you and the rest of our bishops; and that you will, without favour or partial affection, study to suppress impiety and vice, and to reform all disorders, as far as in you lies; well knowing that nothing will so much advance the great ends of religion, and so certainly

secure and establish this church, as the exemplary lives and faithful labours of those who minister in it. And so we commend ourself to your prayers, and bid you very heartily farewell. Given at our court at Kensington the fifteenth day of February, MDCXCIV. in the seventh year of our reign.

By his majesty's command.

SHREWSBURY.

CLXVII*.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
THO. TENISON 2.	1695.	GUILIEL. III. 7.

The archbishop's letter to the bishops of his province.

My very good lord,

HAVING well considered the following particulars, together with such of our brethren, as were in or near London, and believing them to be means very proper for the promoting the glory of God and the edification of his church, I do hereby recommend them to you, as I have also done to the rest of the bishops of this province, desiring you and them to see them carefully observed in your respective dioceses.

In the first place, It is the king's pleasure, that you take especial care concerning the late act against profane cursing and swearing: not only, that it be publicly

The archbishop's letter] This letter was written on the 16th of July 1695, in conformity with the king's Injunctions issued in the preceding month of February (N°. CLXVII.), and with a reference also to the king's letter of February 1690, (N°. CLXVI.) See Kennet, vol. iii. p. 708.

read, as the law has in that case provided, but that the clergy be directed both in their catechizing and sermons, to insist often upon those points, to the end, that by God's blessing upon their faithful endeavours, a stop may be put to those execrable wickednesses, which, if they be suffered to continue, will bring down God's heavy judgments upon this church and nation.

Secondly, There are also other acts to be read publicly in churches, which yet are not read (as I understand) in many places. I desire you to remedy that neglect.

Thirdly, It seems very fit, that you require your clergy in their prayer before sermon, to keep to the effect of the 55th canon: it being commonly reported, that it is the manner of some in every diocese, either to use only the Lord's prayer (which the canon prescribes as the conclusion of the prayer, and not the whole prayer) or at least to leave out the king's titles, and to forbear to pray for the bishops as such.

Fourthly, I commend to your care the preaching of your clergy in the afternoon, upon catechetical heads, both that the people may be the better rooted and grounded in the faith, and also kept from other assemblies.

A fifth particular recommended to you, is, That you be very careful in the giving of institutions; and particularly, that you use good and diligent examination and care to foresee and prevent all simoniacal pacts or covenants with the patrons, or the presenters, for the spoil of their glebe, tithes, or mansion-houses; and in especial manner, those artificial bargains, which are made by bonds of resignation.

A sixth is, The causing of stipends of curates to be proportioned to the value of the benefice, and the greatness of the duty required of them; especially where the incumbent is a pluralist, and cannot constantly reside in person. That the service of God may not suffer by the employing of such ignorant and scandalous men as these

incumbents generally procure, who choose to have such for their curates, as will serve for the meanest salaries.

A seventh is, The preventing of dilapidations, especially where pluralists do not keep constant residence: towards which, frequent views of chancels, and parsonage and vicarage-houses, by your archdeacon or archdeacons, or other officers, and reports made to you upon those views, will much conduce. And as for such, who upon any pretences whatsoever, desire a dispensation for nonresidence, I entreat you not to grant it to any of them, without their giving sufficient security to keep their chancels, and parsonage or vicarage-houses in good repair, if they be so already; or if not, to put them in good repair with all convenient speed, and to keep them so for the future.

The eighth is, Your causing the clergy to pursue very carefully the end of the eighty-seventh canon, relating to terriers of glebe-lands and other possessions belonging to churches; for want of which, great controversies daily arise, and the rights of the church are often lost.

The ninth is, Your hindering (as much as in you lies) all such from being surrogates, who are not qualified by the canon; and to see that none be instrumental in dispatching licenses of marriage, and solemnization of matrimony illegally, or in pronouncing the sentences of excommunication and absolution, without such solemnity as that great and weighty affair requires.

Tenthly, When any minister removes out of your diocese into another, to any cure of souls, I desire you in a letter to the bishop into whose diocese he is going, to give a just character of him. Also when any such minister comes into your diocese, not to admit him, but with the like letter from his former diocesan; or in a vacancy, from the guardian of the spiritualities.

Eleventhly, I beseech you to think of, and to use all proper methods for the time to come, for the preventing of such from being admitted into holy orders, who are

not likely to pursue the sacred ends of them. Some such methods I here lay before you, desiring you to take them into your consideration.

1st, That you take all possible care that there be good schoolmasters in the several public schools within your diocese, not licensing any but such as upon examination shall be found of sufficient ability, and do exhibit very satisfactory testimonials of their temper and good life; that so in the education of youth, especially such as are designed for holy orders, there may not be an ill foundation laid.

2ndly, That you ordain no man deacon or priest, who hath not taken some degree in school in one of the universities of this realm, unless in some extraordinary case.

3rdly, That you accept of no letters testimonial brought by persons to be ordained, unless there be a clause inserted in them by the testifiers to this effect: that they believe them to be qualified for that order, into which they desire to be admitted.

4thly, That as soon as any apply to you for holy orders, you give timely notice of this at the place where the person resides, or lately resided, that so the exceptions against him (if any such there be) may come timely to your knowledge.

5thly, That when any person comes to you to be ordained, you lay it upon his conscience to observe such fasting as is prescribed upon *Ember days*, and to give himself in most serious manner to meditation and prayer.

After some competent time after every ordination, whether *intra* or *extra tempora*, at least between Michaelmas or Christmas, I desire you to send a return under your hand, attested by the archdeacon, and such other clergymen as assisted at the ordination, containing the names and surnames of all the persons then ordained, the place of their birth, their age, and college where they were educated, with the degree they have taken in the

university, the title upon which they were ordained, and upon whose letters dimissory, if they came out of another diocese; and to subjoin a particular account of all such as then offered themselves to ordination, and were refused; as also of the reasons for which they were refused. All which I undertake and promise to cause to be entered into a ledger book for that purpose. By this means counterfeit orders may be detected; men who come up for preferment may be the better understood and distinguished; and such who have had the misfortune either to lose their orders, or to want them here, upon any emergent occasion, may be in some measure helped.

And that the king may be the better enabled to give you his further assistance, in these and other affairs of the church, you are desired and required to comply with his majesty's command to me signified, in giving me an account of what has been done in your diocese, in pursuance of his injunctions, when you come next to parliament; as also of the present state of it, in as particular manner as you well can; that such accounts may be laid before him, in order to the supplying of what is wanting, and rectifying of what is amiss. Not doubting of your lordship's care and zeal in these weighty matters, I recommend you, and all your affairs to the blessing of God Almighty, and remain

Your very loving

friend and brother,

THO. CANTUAR.

CLXVIII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Tho. Tenison 2.	1695.	Guiliel. III. 7.

Directions to our archbishops and bishops, for the preserving of unity in the church, and the purity of the Christian faith, concerning the holy Trinity.

William R.

MOST reverend and right reverend fathers in God, we greet you well. Whereas we are given to understand, that there have of late been some differences among the clergy of this our realm about their ways of expressing themselves in their sermons and writings, concerning the doctrine of the blessed Trinity, which may be of dangerous consequence, if not timely prevented; we therefore out of our princely care and zeal for the pre-

Directions to our archbishops] In the year 1691, Dr. William Sherlock, soon afterwards appointed to the deanery of St. Paul's, published his "Vindication of the Doctrine of the holy and ever-blessed Trinity," containing a new method of explaining that sacred mystery, and tending in one part of the argument to the establishment of a tritheism. This gave rise to a lengthened controversy, in which Dr. South and himself were the great antagonists, both of them bringing an impetuous temper to the discussion, and calculated to do injury to the cause of religious inquiry by the intemperance with which they conducted it. Other writers took an earnest part in the dispute; but the case which attracted the greatest attention, owing to the solemn condemnation it met with, was a sermon preached in Michaelmas Term 1695, before the university of Oxford; in which the preacher, in conformity with the sentiments of Dr. Sherlock, maintained that "There are three infinite distinct minds and substances in the Trinity," and that "The three persons in the Trinity are three distinct infinite minds or spirits, and three individual substances." These propositions were formally declared by the board of heads of houses to be false, impious, and heretical,

servation of the peace and unity of the church, together with the purity of the Christian faith, have thought fit to send you these following directions, which we straitly charge and command you to publish, and to see that they be observed within your several dioceses.

I. That no preacher whatsoever, in his sermon or lecture, do presume to deliver any other doctrine concerning the blessed Trinity, than what is contained in the holy scriptures, and is agreeable to the three creeds and the thirty-nine articles of religion.

II. That in the explication of this doctrine they carefully avoid all new terms, and confine themselves to such ways of expression, as have been commonly used in the church.

III. That care be taken in this matter, especially to observe the fifty-third canon of this church, which forbids public opposition between preachers, and that above all things they abstain from bitter invectives and scurrilous language against all persons whatsoever.

and their decree was made so public through the medium of newspapers, and attended with so many reflections on the author of the new heresy, that the controversy soon found fresh materials to feed upon, and a greater degree of acrimony to foment it. Dr. Sherlock published "A modest examination of the authority and reasons of the late decree," and was followed by other writers on both sides, who engaged so fiercely in the contest, that at the request of the bishops the king interposed, and issued his directions on the subject on the 3rd of February 1696.

Bishop Burnet says, that the king's directions "put a stop to those debates, as the death of Mr. Firmin [in 1697, who was a most bountiful man, but a great supporter of Socinian doctrines] put a stop to the printing and spreading of Socinian books." Doubtless the vehemence of the contest was much abated; but it appears that Dr. Sherlock still continued to publish tracts in defence of real, as opposed to nominal, Trinitarianism, and in opposition to the false views of the Socinians. Burnet, O. T. vol. iv. p. 390. Baxter's Life, p. 549. Biog. Brit. artt. Sherlock and South. Calamy's Life, vol. i. p. 404.

IV. That the foregoing directions be also observed by those, who write any thing concerning the said doctrine.

And whereas we also understand, that divers persons, who are not of the clergy, have of late presumed not only to talk and to dispute against the Christian faith concerning the doctrine of the blessed Trinity, but also to write and publish books and pamphlets against the same, and industriously spread them through the kingdom, contrary to our known laws established in this realm; we do therefore strictly charge and command you, together with all other means suitable to your holy profession, to make use of your authority according to law, for the repressing and restraining of all such exorbitant practices: and for your assistance we will give charge to our judges, and all other our civil officers, to do their duty herein, in executing the laws against all such persons as shall by these means give occasion of scandal, discord, and disturbance in our church and kingdom. Given at our court at Kensington the third day of February, MDCXCV. in the seventh year of our reign.

By his majesty's command,

SHREWSBURY.

CLXIX.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Tho. Tenison 3.	1696.	Guiliel. III. 8.

A declaration of the sense of the archbishops and bishops, now in and about London, upon the occasion of their attendance in parliament; concerning the irregular and scandalous proceedings of certain clergymen at the execution of sir John Friend and sir William Parkins.

WE the archbishops and bishops, now in and about London, upon occasion of our attendance in parliament, having seen a printed paper entituled "A true copy of the papers delivered by sir John Friend, and sir

A declaration of the sense] The discovery of the conspiracy against king William, to which his exiled predecessor is now known to have been privy, and of the dark and deadly designs of which he could not well have been unconscious, gave a fatal blow to the interests of the Jacobites, and roused the feelings of the nation at large in favour of the reigning king. An engagement abjuring the pretensions of James, and pledging the subscribers to revenge the death of king William, in imitation of a similar method adopted in the reign of Elizabeth, was drawn up on the 24th of February, 1696, and was generally signed by the members of both houses of parliament, and throughout the kingdom. This engagement probably suggested the publication of the paper, which the bishops drew up as a declaration of their sentiments, it being evidently intended to express their abhorrence of the conspiracy itself, as much as to reprove the irregular and scandalous proceedings they were called upon to notice. "In the beginning of April," says bishop Burnet, "Friend and Perkins were executed together. A very unusual instance of the boldness of the Jacobites appeared upon that occasion; these two had not changed their religion, but still called themselves protestants; so three of the non-juring clergymen waited on them to Tyburn. Two of them had been oft with Friend and one of them with Perkins: and all the three at the place of execution joined to give them public absolution, with an imposition of hands, in the view

William Parkins, to the sheriffs of London and Middlesex, at Tyburn, the place of execution, April 3, MDCXCVI." and being also certainly informed of the most irregular behaviour of Mr. Cooke[a], Mr. Collier[b], and Mr. Snatt[c], in pretending to absolve the said criminals at their execution, to the great scandal of the church, and of our holy religion, have therefore thought ourselves obliged to declare our sense of the same, as here followeth :

I. As to the paper before mentioned, we cannot but observe, that in that part, to which sir John Friend is entituled, among many other things there delivered as his private opinion (for which we must leave him to God) there are mingled some things concerning the church of England to the great dishonour and reproach of it. That venerable name is by the author of that paper appropriated to that part of our church, which hath separated itself from the body; and more particularly to a faction of them, who are so furiously bent upon the restoring of the late king, that they seem not to regard by what

of all the people; a strain of impudence that was new as it was wicked; since these persons died, owning the ill designs they had been engaged in, and expressing no sort of repentance for them. So these clergymen, in this solemn absolution, made an open declaration of their allowing and justifying these persons in all they had been concerned in. Two of these were taken, and censured for this in the king's bench; the third made his escape." (Own Times, vol. iv. p. 313.) Mr. Cook and Mr. Snat were indicted by order of the court of king's bench and committed to Newgate, but were afterwards released without a trial. Mr. Collier, having a scruple about putting in bail, absconded and was outlawed. He afterwards published several tracts in his own vindication, and in answer to the declaration of the bishops. Hallam, vol. ii. p. 477. Kennet, vol. iii. p. 712. Biog. Brit. art. Collier. Baxter's Life, p. 550. Evelyn, vol. iii. p. 350. Impartial Acc. of the horrid Conspiracy, 1696.

[a] Shadrach Cooke, A.M. lecturer of Islington.

[b] Jeremiah Collier, A.M. lecturer or afternoon preacher at Gray's Inn.

[c] William Snatt, A.M. prebendary of Chichester and vicar of Cookfield, Sussex.

means it is to be effected. We have a sad instance of it in this very person, who (as was deposed at his trial) was privy to the horrid design of assassination, and yet neither discovered it, nor shewed any dislike of it, but as he was afraid it might ruin king[d] James, and his affairs; and was ready also, together with others of the same Christian principle (as the author of his paper is bold to call it) to act in conjunction with an army of French papists, for the ruin of their country, and extirpation of that religion, which they themselves do profess.

II. As for sir William Parkins, who also professed to die in the communion of the church of England, we cannot think he meant any thing else by it, than that he adhered to the same violent faction; being assured (as we are by very good information) that both he and sir John Friend had withdrawn themselves from our public assemblies some time before their death. Which makes us the less wonder to find in both their papers so light, and even favourable, a mention of that most inhuman design of assassinating his sacred majesty; especially in that of sir William Parkins, who, though he was publicly convicted of his having engaged so many in that horrible sin, yet after all could think to clear himself of it with this wretched excuse: "It is true, I was privy to the design upon the prince, but was not to act in it." Blessed be God, there never was any of our church, that in any change of times could have this laid to his charge, that he was so much as privy to a design of assassination.

Lastly, For those clergymen that took upon them to absolve these criminals at the place of execution, by laying, all three together, their hands upon their heads, and publicly pronouncing a form of absolution; as their manner of doing this was extremely insolent and without precedent either in our church, or any other that we know of, so the thing itself was altogether irregular.

[d] Tryal, p. 17.

The rubric in our office of the visitation of the sick, from whence they took the words they then used, and upon which, if upon any thing in our liturgy, they must ground this their proceeding, gave them no authority nor no pretence for the absolving these persons; nay, as they managed the affair, they acted in this absolution far otherwise than is there directed.

That rubric is concerning sick persons, and it is there required, first, that "the sick person shall be moved to make a special confession of his sins, if he feel his conscience troubled with any weighty matter, and then after such confession, the priest shall absolve him, if he humbly and heartily desire it." But here they absolved, and that publicly, persons condemned by law for execrable crimes, without so much as once moving them at that time to make a special confession of their sins, at least of those sins for which they were condemned. And on the other side, here were persons absolved that did not humbly desire absolution, as feeling any such weighty matter to trouble their conscience; but on the contrary, in sir John Friend's paper it is declared, that he had a great deal of satisfaction in suffering for that cause which he firmly believed to be the cause of God and true religion.

If these ministers knew not the state of these men's souls, before they gave them absolution, as it is manifest two of them Mr. Snatt and Mr. Cooke, did not, as to sir William Parkins, (they having since declared, that they had not spoke with sir William till they were at the place of execution,) how could they without manifest transgression of the church's order, as well as the profane abuse of the power Christ has left with his ministers, absolve them from all their sins?

If they were acquainted with these men's sentiments declared in their papers, then they must look upon them, either as hardened impenitents or as martyrs.

We are so charitable to believe that they would not

absolve them under the former notion; for that had been, in effect, sealing them to damnation; but if they held these men to be martyrs, then their absolving them in that manner was a justification of those grievous crimes, for which these men suffered, and an open affront to the laws both of church and state.

Upon the consideration of these things, and for the doing of right to our church, which may otherwise suffer, among such as are strangers to our constitution, by the evil principles and practices, both of the aforesaid criminals, and the three clergymen that assisted them, who all pretended to be members of the church of England; we do declare that we disown and detest all such principles and practices; looking upon them as highly schismatical and seditious, dangerous both to the church and state, and contrary to the true doctrine and spirit of the Christian religion. And we also take this occasion to warn and exhort all the people committed to our charge, to beware of such seducers and to avoid them; lest (as the apostle St. Peter speaks) "they be led away with the error of the wicked," and fall from their steadfast adherence to the principles of the true church of England, as it was established at the blessed reformation of religion, and as by God's especial providence it continues to this day.

April 10, MDCXCVI.

Tho. Cantuar.	Sy. Eliens.
Joh. Ebor.	Gil. Hereford.
Henr. London.	Jo. Norwich.
Nath. Duresme.	Ric. Peterb.
P. Winchester.	Ed. Gloucester.
W. Cov. and Lich.	Rob. Chichester.
Tho. Roffin.	E. Asaph.

CLXIX*.

Archiepisc. Cant. Tho. Tenison 5. | Anno Christi 1699. | Reg. Angliæ Guiliel. III. 11.

His grace the lord archbishop of Canterbury's letter to the right reverend the lords bishops of his province. (From an original in the Bodleian. 4to. W. 45 Theol.)

To the right reverend the lord bishop of——

Reverend Brother,

MY writing to you and the rest of our brethren at this time is occasioned by a sensible growth of vice and profaneness in the nation: which, to the great affliction of all good men, appears not only in the corrupt practices of particular persons, but also in the endeavours that are used to subvert the general principles of our holy religion. And this with a boldness and openness, far beyond the examples of past times; so that if a speedy stop be not put to such national provocations, we have just cause to fear they may bring down the heaviest judgments of God upon us; the preventing whereof belongs more immediately to us, who are the ministers of Christ; and as such, are obliged to the utmost care and watchfulness in opposing these instruments of Satan.

I doubt not, but many of the parochial clergy are sufficient sensible both of their own duty and the danger we are in: in the cities of London and Westminster, and other places, I am sure the good effects of their diligence

His grace the lord archbishop] King William having ordered a general fast and humiliation to be observed on the 5th day of April, the archbishop took occasion to issue this letter of admonition to the bishops of his province.

have been very evident of late years. But in some parts that are more remote, all of them may not so well understand either the arts or the industry of these enemies of religion: and therefore I thought it a duty incumbent on the station wherein providence has placed me, to desire of you and the rest of our brethren, to warn the clergy under your care, of these attempts against religion and virtue; and to excite them to a diligence proportionable to the danger; and to suggest to them such methods as are most likely to work a general reformation.

With this request, I send you such particulars as, in my opinion, are very necessary to be pressed upon your clergy for the attaining so desirable an end. As,

I. That in their own lives, and the government of their own families, they would make themselves examples of a sober and regular conversation. It is the apostle's reasoning, "If a man know not how to rule his own house (and much more his own life and actions) how shall he take care of the church of God?" The true method of working a reformation abroad, is to lay the foundation at home, which alone can give our reproofs a just weight and authority: but till that is done, no exhortations, whether in public or private, can either be offered with decency, or received with reverence.

II. To piety, they should add prudence, to all their actions and behaviour: which even in private Christians is a great ornament to religion, but in public teachers is a most necessary qualification for the due discharge of their ministry. A mildness of temper, with a gravity and calmness in their conversation, will not fail to gain them a general love and esteem among their neighbours; and a discreet caution in their words and actions will preserve them from those little imprudences that are sometimes so sensible an obstruction to the good endeavours of well-meaning men. Persons in holy orders are not only bound, in the conduct of their lives, to consider what is lawful or

unlawful in itself, but also what is decent or indecent in them, with respect to their character and function: "abstaining from all appearance of evil, and giving no offence in any thing, that the ministry be not blamed."

III. While our enemies are so very industrious in seeking out objections against the Christian religion, it becomes the clergy (who are set apart for the vindication of it) to be no less diligent in their preparations for its defence: by acquainting themselves thoroughly with the rational grounds of Christianity, and the true state of such points as are the subjects of our present controversies; together with the objections which are usually made by our adversaries of all sorts, and the effectual answers that have been returned to them by so many eminent writers of our own church; that so they may be ready, on all occasions, to do justice and honour to our religion; and be able to expose the folly and ignorance of these gainsaying men. The cause which God has put into our hands, is undoubtedly good; but the best cause may suffer by the weakness of its advocate: and when this happens in the matter of religion, it gives the adversary an occasion of triumph, and is apt to stagger the faith even of sincere and unprejudiced Christians.

IV. It were to be wished, that the clergy of every neighbourhood would agree upon frequent meetings, to consult for the good of religion in general, and to advise with one another about any difficulties that may happen in their particular cures. By what methods any evil custom may most easily be broken: how a sinner may be most effectually reclaimed: and (in general) how each of them in their several circumstances may contribute most to the advancement of religion. Such consultations as these, besides the mutual benefit of advice and instruction, will be a natural means to excite the zeal of some, to reduce the over-eagerness of others to a due temper, and to provoke all to a religious emulation in

the improvement of piety and order within their respective parishes. And these meetings might still be made a greater advantage to the clergy in carrying on the reformation of men's lives and manners, by inviting the churchwardens of their several parishes, and other pious persons among the laity, to join with them in the execution of the most probable methods that can be suggested for those good ends. And we may very reasonably expect the happy effects of such a concurrence, from the visible success of that noble zeal wherewith so many about the great cities in my neighbourhood do promote true piety, and a reformation of manners. And therefore I desire you that you will particularly excite your clergy to the procuring such assistances as these, for the more effectual discharge of their own duty.

V. It would very much further and facilitate all their endeavours of this kind, to gain over the persons who have the greatest esteem and authority in their parishes, to a hearty concern for the honour of God and religion: frequently suggesting to them the obligation that God has laid upon them to be examples to others, and the great good that it is in their power to do, by setting a pattern of regular living, and the unspeakable mischief of their irregular behaviour. For if once the better sort can be brought to such a seriousness and sobriety, the rest will more easily follow; example being the most powerful instruction; and experience teaching us that shame and fear, which arise from the authority of such good patterns, are commonly the most effectual restraints upon the meaner sort.

VI. Where any person is obstinate in his vices, and not to be reclaimed either by teaching or example, by exhortation or reproof; the ordinary ought to be informed of it, that he may proceed to reclaim such by ecclesiastical censures. And where those are like to prove ineffectual, the civil magistrate must be applied to, and desired to

proceed against them according to the laws in those cases provided. Which information and request, especially in the case of such incorrigible offenders, can be made by none so properly as by the clergy; who may best be supposed to understand the necessity there is of having recourse to the civil magistrate. And since our lawgivers have enacted these temporal punishments, on purpose to assist us in the discharge of our ministry; it would be a great failing in us, not to make use of them when all other methods have been tried to little or no effect.

VII. Every pious person of the laity should, if need be, be put in mind by the clergy, that he ought to think himself obliged to use his best endeavours to have such offenders punished by the civil magistrate, as can no otherwise be amended. And that when he hears his neighbour swear or blaspheme the name of God, or sees him offend in drunkenness or profanation of the Lord's day, he ought not to neglect to give the magistrate notice of it: in such a case to be called an informer, will be so far from making any man odious in the judgment of sober persons, that it will tend to his honour, when he makes it appear by his unblamable behaviour, and the care he takes of himself and his own family, that he doth it purely for the glory of God and the good of his brethren. Such well-disposed persons as are resolved upon this, should be encouraged to meet as oft as they can, and to consult how they may most discreetly and effectually manage it in the places where they live.

VIII. As in reforming the laity, they ought to use the assistance of the civil magistrate; so if any of their own brethren be an irregular liver, and cannot be reclaimed by brotherly admonition, the neighbouring clergy should be strictly enjoined to make it known to their diocesan, either by themselves or the archdeacon, or by some other convenient way. That so the offender may be admo-

nished to live suitably to his character; and if a bare admonition will not do, he may be proceeded against by ecclesiastical censures, for the preventing such scandals and mischiefs, as will always accompany the irregular life of a minister of the gospel.

IX. And whereas the foundations of piety and morality are best laid at the beginning, in the religious education of children, I cannot but wish that every one of the parochial clergy would be very diligent in catechising the children under their care; and not only so, but in calling upon them afterwards, as they grow up, to give such further accounts of their religion, as may be expected from a riper age. That being thus carefully instructed in the faith and duty of a Christian, they also may teach their children the same; and so piety, virtue, and goodness, may for ever flourish in our church and nation. These directions, with such others of the same nature as will occur to you, I desire may be transmitted by you to the clergy of your diocese, for the religious government of themselves and their people in these dangerous times. So commending you and them to the blessing of God, I rest

Your affectionate brother,

Lambeth, April 4th, MDCXCIX.

THO. CANTUAR.

CLXIX**.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Tho. Tenison 7.	1700.	Guiliel. III. 12.

A royal commission addressed to Thomas lord archbishop of Canterbury and others.—Le Neve's Lives of Protestant Bishops, vol. i. p. 247.

WILLIAM III. by the grace of God, king &c., to the most reverend father in God our right trusty and right entirely beloved counsellor, Thomas lord archbishop of Canterbury, primate of all England and metropolitan; and to the most reverend father in God, John lord archbishop of York, primate of England and metropolitan; and to the right reverend fathers in God, Gilbert lord bishop of Sarum, William lord bishop of Worcester, Simon lord bishop of Ely, and John lord bishop of Norwich, greeting.

We being sensible that nothing can conduce more to the glory of God, our own honour, and the welfare of the church, than our promoting to preferment therein the most worthy and deserving men according to their merits; and conceiving you, the said Thomas archbishop of Canterbury, John lord archbishop of York, Gilbert lord bishop

A royal commission] During the life of queen Mary ecclesiastical appointments were made by her, acting under the advice chiefly of archbishop Tillotson. After her death it appears from this commission that king William entrusted the same appointments to a board of bishops, and that this commission is only a renewal of the same trust with the substitution of another prelate. The commission was not continued after the accession of queen Anne. It differs greatly both in its principle and in its effects from the warrant issued for similar purposes by king Charles II. See No. CLX. Burnet, O. T. vol. iv. p. 211; vol. v. p. 17. Bp. Patrick's Life of Himself, p. 226.

of Sarum, William lord bishop of Worcester, Simon lord bishop of Ely, and John lord bishop of Norwich, to be proper and competent judges in such cases; know ye, therefore, that we, reposing special trust and confidence in your approved wisdoms, fidelities, and circumspections, have nominated, constituted, ordained, and appointed, and by these presents do nominate, constitute, ordain, and appoint you the said Thomas lord archbishop of Canterbury, John lord archbishop of York, Gilbert lord bishop of Sarum, William lord bishop of Worcester, Simon lord bishop of Ely, and John lord bishop of Norwich, to be our commissioners for the purposes hereinafter mentioned, and we do hereby give and grant unto you our said commissioners, or any three or more of you, (whereof we will that you the said Thomas lord archbishop of Canterbury to be always one; and where any preferment or place to be disposed of lies within the province of York, you the said John lord archbishop of York to be also one,) full power and authority to meet at such convenient times and places as you the said Thomas lord archbishop of Canterbury shall by your summons of the rest of our said commissioners from time to time appoint, for the putting the powers hereby granted in execution in such manner as is hereby appointed. And we do hereby declare our will and pleasure to be, that when our royal person shall be resident within our kingdom of England, you do at such meetings consider of one or more person or persons proper to be recommended to us to succeed to any bishopric in England, or any other ecclesiastical preferments in England, above the tax or real value of twenty pounds in our books, which are in our gift or disposal from time to time as they shall respectively become vacant during our residence within our said kingdom of England. And that you, or a sufficient number of you empowered as aforesaid, do signify under your hands your recommendation of such person or persons as you in your

wisdoms shall think most fit to be appointed by us to succeed to any such vacant preferments, to the end that the names of such person or persons may be presented to us by one of our principal secretaries of state, that our royal pleasure may be further known therein. And if at the time of our residence in any parts beyond the seas, any bishoprics in England, or any deaneries or archdeaconries in England, or any prebends in the churches of Canterbury, Worcester, Windsor, or Westminster, or any canonry in Christ Church in the university of Oxon, or in either of them; or provostship or mastership of any college, or any places of royal professor in either of the universities of Oxon or Cambridge, or the mastership of any hospital, or any living or benefice exceeding the tax or value of twenty pounds in our books, and being above one hundred and forty pounds per annum real value, taxes and other charges not to be deducted in the computation of the real value of the said livings, which shall happen to be vacant by death, promotion, or otherwise; then our will and pleasure is, that you our said commissioners, or any three or more of you, whereof you the said Thomas lord archbishop of Canterbury to be always one; and in any case where any such preferment shall happen to be in the province of York, you the said John lord archbishop of York be also one; to transmit unto us, under your hands, the names of such person or persons as you shall think most fit and proper to succeed to any such vacant bishopric, deanery, prebend, canonry, provostship, mastership, professorship, or living, or other preferment respectively, as they or any of them shall become vacant at any time during our residence beyond the seas, to the end our further pleasure may be known therein to be signified under our royal sign manual. And we do hereby declare our further will and pleasure to be, that the yearly real value of the said livings and benefices, as to the exceeding or not exceeding one hundred and forty pounds per annum,

shall be ascertained by the affidavits of two or more credible witnesses, to be taken before some master of the court of chancery, testifying their knowledge of the yearly value thereof, and by the certificate of such number of our said commissioners empowered to act as aforesaid, testifying that they are satisfied that the matters contained in such affidavits are true. And further we have given and granted, and by these presents we do give and grant unto you our said commissioners, or any three or more of you (whereof you the said Thomas lord archbishop of Canterbury to be always one; and in any case where the preferment shall happen to be in the province of York, you the said John lord archbishop of York to be also one) full power and authority under your hands and seals to present to and dispose of in our name all other ecclesiastical preferments whatsoever, which are above the tax and value of twenty pounds in our books, and are in our disposal, and shall become vacant when we shall reside abroad in parts beyond the seas; except all bishoprics in England, and except all deaneries and archdeaconries, and the prebends in the churches of Canterbury, Westminster, Worcester, and Windsor, the canonries of Christ Church in the university of Oxford, the provostship and mastership of colleges royal, professors' places in either university, and masterships of hospitals, and except livings of such yearly value as aforesaid. And our will and pleasure is, that the hands and seals of you our said commissioners, or any three or more of you (whereof the hand and seal of you the said Thomas lord archbishop of Canterbury to be always one; and in any case where the preferment shall happen to be in the province of York, the hand and seal of you the said John lord archbishop of York, to be also one) to such presentation and disposal in our absence beyond the seas shall be a sufficient warrant to the keeper of our great seal, and to all persons whom it may concern, for the passing the same under the great seal of

England. And if it shall happen that the number of suffrages of you our said commissioners at any time of your meeting shall be equal, then our will and pleasure is, that you the said Thomas lord archbishop of Canterbury, shall have a second voice to make a majority. And when by reason of the distance which you our said commissioners may be at in your respective dioceses, you cannot conveniently come together to make a sufficient number to act according to the powers and directions herein contained, that then in all such cases our will and pleasure is, that the hands and seals of as many and such of you as if you were met together would make a sufficient number to act as aforesaid, shall be of equal validity with any act which you might have done at a meeting: any thing herein before contained to the contrary notwithstanding. And further, we do hereby declare our pleasure to be, that neither of our principal secretaries of state do at any time, either when we shall be resident in England, or in parts beyond the seas, move us in behalf of any person whatsoever, for any place or preferment which we have hereby left to the recommendation or disposal of our said commissioners as aforesaid, without having first communicated both the person and the thing by him desired to you our said commissioners, or so many of you as are hereby empowered to act; and without having your opinion and recommendation in such manner as herein before is directed. And if at any time we be moved in like manner by any other person whatsoever, our pleasure is, and we do hereby declare, that neither of our principal secretaries of state shall present any warrant to us for our royal signature in such a case, until you our said commissioners, or so many of you as are hereby empowered to act, have been acquainted therewith, and have given your opinion and recommendation as aforesaid. And further our will and pleasure is, that this our commission, and the powers hereby granted, shall continue in force until

we shall declare our pleasure to the contrary, notwithstanding the same commission be not continued by adjournment. And lastly we have revoked and determined, and by these presents do revoke and determine certain letters patents under our great seal of England, bearing date the 6th day of April in the seventh year of our reign, whereby we constituted and appointed you the said Thomas lord archbishop of Canterbury, John lord archbishop of York, William lord bishop of Coventry and Lichfield, Gilbert lord bishop of Sarum, and Simon lord bishop of Ely, together with the then right reverend father in God, Edward lord bishop of Worcester lately deceased, to be our commissioners for the purposes above mentioned, and every clause, article, and thing therein contained. In witness whereof we have caused these our letters to be made patents. Witness ourself at Westminster the 9th day of May, in the twelfth year of our reign.

Per Breve de Privato Sigillo,

CHUTE.

Original in the hands of Dr. Edward Tenison, Archdeacon of Caermarthen.

CLXX.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Tho. Tenison 13.	1707.	Annæ 9.

His grace the lord archbishop of Canterbury's circular letter to the right reverend the lords bishops of his province: in which is inserted her majesty's gracious letter to him of the eighth of April, MDCCVII. *relating to matters in convocation.*

To the right reverend the lord bishop of ——.

Right reverend brother,

ON the eighth day of this instant April I received a letter from her most gracious majesty, the contents of which I was therein required to communicate to the bishops and clergy of my province in convocation assembled.

His grace the lord archbishop] This appeal from the upper house of convocation to the clergy in general was occasioned by the refractory conduct of the lower house on the subject of prorogations and intermediate sessions; and this form was given to it, partly on account of the premeditated absence of the prolocutor (dean Stanhope), when her majesty's letter was communicated to the lower house, and partly on account of the great publicity that had been given to their proceedings, inasmuch as a protest had been circulated throughout the whole of the province, for the purpose of obtaining the signatures of all those members of the lower house who were opposed to the factious conduct of the majority. The prolocutor was pronounced contumacious; but further proceedings against him were stayed on his making a full submission; and the bishops, having the legal opinions of the lord chancellor Cowper and the lord chief justice Holt in their favour, received the direct support and authority of the crown. No business can be undertaken in convocation, unless it has been specially proposed to them by royal license; and much mischief, allayed with little benefit,

The convocation at that time stood prorogued to April the tenth, on which day we met; and those of the lower house, who were present, being called up to the Jerusalem chamber, I did, in pursuance of her majesty's order, communicate to them her said gracious letter.

But the prolocutor being absent, and very few of the lower house appearing, I thought it proper, in a matter of so great importance, to acquaint all the clergy of my province not only with the letter itself, but with divers other matters, which give light to it, and without which those, who were absent, will not be able to comprehend the full scope and intention of it.

I would therefore desire you to acquaint the clergy of your diocese, as soon as conveniently you can, with the following particulars.

On the twelfth of February last, by virtue of a royal writ then received, I prorogued the convocation to March the fifth following.

On the 19th of March the lower house did, by their prolocutor, deliver to the president an application in these words:

To the most reverend his grace the lord archbishop of Canterbury, and the right reverend the bishops of the upper house of convocation.

May it please your grace and your lordships.

"We the clergy of the lower house of convocation beg leave to acquaint your lordships, that some of our members have carefully compared the several royal prorogа-

having for some time previously resulted fromtheir labours, no such permission has been granted since the year 1717, so that from that period the convocation has virtually become extinct. Burnet, Own Times, vol. v. pp. 202. 254. Baxter's Life, p. 713. Hallam, vol. ii. p. 549. Tindal's Contin. p. 539 Tanner MSS. vol. cclxxxii. p. 234.

tions of the parliament, and of the synod of the province of Canterbury, from the year of our Lord MDXXXII. when the first royal writ for proroguing the convocation issued, to the year of our Lord MDCCV. when this present convocation first assembled.

"Upon the perusal of a schedule thereof, which we are ready to lay before your lordships at your next session, your lordships will be pleased to observe, that within the period above mentioned, containing one hundred seventy three years, there is no one instance of a writ of prorogation issuing, during the session of parliament, to dismiss the clergy, when met in convocation.

"We do therefore in all humility and earnestness beseech your lordships, that out of that conscientious regard which we doubt not but your lordships have for the welfare of the church of England, you will use your utmost endeavours, that your lordships, and the clergy of this province, may enjoy the same usages, which your lordships' protestant predecessors and ours have been in constant possession of, and have never misemployed."

As to the schedule mentioned in the foregoing paper, for the support of their assertion therein, they did not bring it up till March 26, on which day it was offered and received.

After a perusal of it, the president and his suffragans caused a paper to be drawn up at large, containing a vindication of her majesty's proceeding; together with observations on their schedule, and an appendix relating further to it. But the matter of the said application being of so high and nice a nature, they did forbear, at that time, to give them any other answer than this, which follows:

April 2, MDCCVII.

Mr. Prolocutor, and the rest of the clergy with you.

"We have perused and considered your application brought up on the 19th of March last past, and your schedule mentioned therein, and brought up on the 26th of the same month; and are prepared to shew, that your assertion in the aforesaid application, together with what is offered as a support of it in the said schedule, is in many particulars far from being true.

"But it appearing to us, that the matter therein contained does highly concern her majesty's royal supremacy, (which she was pleased to declare in her gracious letter of Feb. 25, MDCCV., that she was resolved to maintain, as a fundamental part of the constitution of the church of England,) we think it not proper to make any further step in relation thereunto, till we have humbly laid the same before her majesty."

On April 5, (the day to which the convocation was prorogued,) some of the lower house brought up a short declaration; which, it seems, they had entered upon their minutes on March 5, but did not acquaint the upper house therewith till the 5th of April; when the prolocutor, with four or five more, brought up the following paper:

May it please your grace and your lordships.

"The clergy of the lower house of convocation humbly pray, that when your grace shall be pleased to lay before her majesty the application and schedule lately brought up to your grace, the following declaration, made antecedently to their application, may also be laid before her majesty, as transcribed from the minutes; viz. that they did not thereby intend to enter into any manner of debate

concerning the validity of the late royal prorogation, to which they have humbly submitted."

The same day (April 5) the president and his suffragans having been informed that divers of the lower clergy had dissented from the foresaid application, and that their dissent was entered in the acts of the lower house, did direct a copy thereof to be taken, and brought before them; which was done accordingly.

All the foregoing papers having been reviewed, the president, with the consent of his suffragans, did humbly lay them, together with the schedule and vindication, before the queen; and her majesty, after consideration had of them, was pleased to send to the said president the above mentioned gracious letter, a true copy of which is here subjoined:

ANNE R.

Most reverend father in God, our right trusty and right entirely beloved counsellor, we greet you well. In our letter to you, bearing date the twenty-fifth day of February, MDCCV, which we directed to be communicated to the bishops and clergy of the convocation of your province, we declared our resolution to maintain our supremacy, and the due subordination of presbyters to bishops, as fundamental parts of the constitution of the church of England.

We did hope, that so plain a declaration of our royal intention would have been a sufficient warning to those of the clergy, whose innovations (contrary to the duty they owed to us, and their ecclesiastical superiors) gave us occasion to make it. Yet, contrary to our expectation, we understand, that not only the former illegal practices are continued, but also, by the proceedings laid before us by you and your suffragans, that the last prorogation of the convocation held before you, which you

made by our command, signified in our writ under our great seal, has been by divers of the clergy of the said convocation in their application to you reflected on, as unprecedented, and contrary to the ancient and constant usage of the convocation, which yourself and the bishops of your province were bound in conscience to have seen maintained and preserved to them. We are satisfied, that assertion is untrue in point of fact, and amounts to a plain invasion of our royal supremacy, which is reposed in us by the law and the constitution of the church of England; and that their subsequent declaration being evasive, and contrary to what they had before done, has rather aggravated than lessened the guilt of so dangerous an attempt. As our repeated admonitions do sufficiently shew our tenderness for the clergy, so our firm resolution to preserve the constitution of the church of England, as by law established, and our rightful supremacy (if any thing of the like nature be attempted for the future) will make it necessary for us (how unwilling soever we are to proceed to those measures) to use such means for the punishing offences of this nature, as are warranted by law. All which we require you to communicate to the bishops and clergy of your province in convocation assembled. And so we bid you very heartily farewell. Given at our court at St. James's the eighth day of April, MDCCVII., in the sixth year of our reign.

By her majesty's command.

SUNDERLAND.

To the most reverend father in God, our right trusty and right entirely beloved counsellor, Thomas, lord archbishop of Canterbury, primate of all England and metropolitan, and president of the convocation of the province of Canterbury.

I doubt not, but, in duty to our most excellent sovereign, in justice to the cause of the royal supremacy, and in tender regard to the welfare of our established church, you will lay before the clergy of your diocese the foregoing account, which I here transmit to you, for that end, in the plainest manner, hoping it may be a means to detect the misrepresentation, and disappoint the designs of evil-minded men. I heartily commend your lordship to the divine protection, remaining,

My lord, your affectionate brother,

Lambeth, April 18, MDCCVII. THO. CANTUAR.

CLXXI.

Archiepisc. Cant. THO. TENISON 20. | Anno Christi 1714. | Reg. Angliæ GEORG. I. 1.

Directions to our archbishops and bishops for the preserving of unity in the church, the purity of the Christian faith concerning the holy Trinity; and also for preserving the peace and quiet of the state.

GEORGE R.

MOST reverend, and right reverend fathers in God, we greet you well. Whereas we are given to understand, that there have of late been great differences among some of the clergy of this our realm about their ways of expressing themselves in their sermons and writings concerning the doctrine of the blessed Trinity; and whereas also unusual liberties have been taken by several of the said clergy, in intermeddling with the affairs of state and government, and the constitution of the realm; both which may be of very dangerous consequence, if not timely prevented; we therefore, out of our princely care and zeal for the preservation of the

peace and unity of the church, together with the purity of the Christian faith, and also for preserving the peace and quiet of the state, have thought fit to send you these following directions, which we straitly charge and command you to publish, and to see that they be observed within your several dioceses.

I. That no preacher whatsoever in his sermon or lecture do presume to deliver any other doctrine concerning the blessed Trinity, than what is contained in the holy scriptures, and is agreeable to the three creeds, and the thirty-nine articles of religion.

II. That in the explication of this doctrine they carefully avoid all new terms, and confine themselves to such ways of expression, as have been commonly used in the church.

III. That care be taken in this matter especially to observe the fifty-third canon of this church, which forbids public opposition between preachers; because (as that canon expresses it) there groweth thereby much offence and disquietness unto the people: and that above all things they abstain from bitter invectives and scurrilous language against all persons whatsoever.

IV. That none of the clergy in their sermons or lectures presume to intermeddle in any affairs of state or government, or the constitution of the realm, save only on such special feasts and fasts, as are or shall be appointed by public authority; and then no further than the occasion of such days shall strictly require. Provided always, that nothing in this direction shall be understood to discharge any person from preaching in defence of our regal supremacy established by law, as often, and in such manner, as the first canon of this church doth require.

V. That the foregoing directions be also observed by those who write any thing concerning the said subjects.

VI. Whereas also we are credibly informed, that it is

the manner of some in every diocese before their sermon either to use a Collect and the Lord's Prayer, or the Lord's Prayer only, (which the fifty-fifth canon prescribes as the conclusion of the prayer, and not the whole prayer,) or at least to leave out our titles, by the said canon required to be declared and recognised; we do further direct, that you require your clergy, in their prayer before sermon that they do keep strictly to the form in the said canon contained, or to the full effect thereof.

VII. And whereas we also understand, that divers persons, who are not of the clergy, have of late presumed not only to talk and to dispute against the Christian faith concerning the doctrine of the blessed Trinity, but also to write and publish books and pamphlets against the same, and industriously spread them through the kingdom, contrary to the known laws in that behalf made and enacted; and particularly to one act of parliament, made in the ninth year of king William the Third, entituled, "An act for the more effectual suppressing of blasphemy and profaneness;" we taking all the matters above mentioned into our royal and serious consideration, and being desirous to do what in us lies, to put a stop to these disorders, do strictly charge and command you, together with all other means suitable to your holy profession, to make use of your authority according to law, for the repressing and restraining of all such exorbitant practices. And for your assistance, we will give charge to our judges, and all other our civil officers, to do their duty herein, in executing the said act, and all other laws against all such persons, as shall by these means give occasion of scandal, discord, and disturbance in our church and kingdom. Given at our court at St. James's the eleventh day of December, MDCCXIV., in the first year of our reign.

By his majesty's command.

TOWNSHEND.

CLXXII.

Archiepisc. Cant.	Anno Christi	Reg. Angliæ
Guil. Wake 1.	1716.	Georg. I. 2.

The archbishop of Canterbury's letter to the right reverend the lords bishops of his province. [Westminster, June 5, MDCCXVI.]

My very good lord,

BEING by the providence of God called to the metropolitical see of this province, I thought it incumbent upon me to consult as many of my brethren the bishops of the same province, as were here met together during this session of parliament, in what manner we might best employ that authority, which the ecclesiastical laws now in force, and the customs and laws of this realm have vested in us, for the honour of God, and for the edification of his church, committed to our charge; and upon serious consideration of this matter, we all of us agreed in the same opinion, that we should, by the blessing of God upon our honest endeavours, in some measure promote those good ends, by taking care (as much as in us lieth) that no unworthy persons might hereafter be admitted into the sacred ministry of the church, nor any be allowed to serve as curates, but such as should appear to be duly qualified for such an employ; and that all who officiated in the room of any absent ministers should reside upon the cures which they undertook to supply, and be ascertained of a suitable recompense for their labours.

In pursuance of those resolutions, to which we unanimously agreed, I do now very earnestly recommend to you,

I. That you require of every person, who desires to be admitted into holy orders, that he signify to you his name

and place of abode, and transmit to you his testimonial, and a certificate of his age duly attested, with the title, upon which he is to be ordained, at least twenty days before the time of ordination; and that he appear on Wednesday, or at furthest on Thursday in Ember-week, in order to his examination.

II. That if you shall reject any person, who applies for holy orders, upon the account of immorality proved against him, you signify the name of the person so rejected, with the reason of your rejecting him, to me within one month; that so I may acquaint the rest of my suffragans with the case of such rejected person before the next ordination.

III. That you admit not any person to holy orders, who having resided any considerable time out of the university, does not send to you, with his testimonial, a certificate signed by the minister, and other credible inhabitants of the parish where he so resided, expressing, that notice was given in the church in time of divine service on some Sunday, at least a month before the day of ordination, of his intention to offer himself to be ordained at such a time; to the end that any person, who knows any impediment, or notable crime, for the which he ought not to be ordained, may have opportunity to make his objections against him.

IV. That you admit no letters testimonial on any occasion whatsoever, unless it be therein expressed, for what particular end and design such letters are granted; nor unless it be declared by those who shall sign them, that they have personally known the life and behaviour of the person for the time by them certified; and do believe in their conscience, that he is qualified for that order, office, or employment, to which he desires to be admitted.

V. That in all testimonials sent from any college or hall in either of the universities, you expect, that they be

signed, as well as sealed; and that among the persons signing, the governor of such college or hall, or in his absence, the next person under such governor, with the dean, or reader of divinity, and the tutor of the person to whom the testimonial is granted (such tutor being in the college, and such person being under the degree of master of arts), do subscribe their names.

VI. That you admit not any person to holy orders upon letters dimissory, unless they are granted by the bishop himself, or guardian of the spiritualities, *sede vacante;* nor unless it be expressed in such letters, that he who grants them has fully satisfied himself of the title, and conversation of the person, to whom the letter is granted.

VII. That you make diligent inquiry concerning curates in your diocese, and proceed to ecclesiastical censures against those, who shall presume to serve cures, without being first duly licensed thereunto; as also against all such incumbents, who shall receive and employ them, without first obtaining such license.

VIII. That you do not by any means admit of any minister, who removes from another diocese, to serve as a curate in yours, without testimony of the bishop of that diocese, or ordinary of the peculiar jurisdiction, from whence he comes, in writing, of his honesty, ability, and conformity to the ecclesiastical laws of the church of England.

IX. That you do not allow any minister to serve more than one church or chapel in one day, except that chapel be a member of the parish church, or united thereunto; and unless the said church or chapel, where such a minister shall serve in two places, be not able in your judgment to maintain a curate.

X. That in the instrument of license granted to any curate, you appoint him a sufficient salary according to the power vested in you by the laws of the church, and

the particular direction of a late act of parliament for the better maintenance of curates.

XI. That in licenses to be granted to persons to serve any cure, you cause to be inserted, after the mention of the particular cure provided for by such license, a clause to this effect, "or in any other parish within the diocese, to which such curate shall remove with the consent of the bishop."

XII. That you take care, as much as is possible, that whosoever is admitted to serve any cure, do reside in the parish, where he is to serve, especially in livings, that are able to support a resident curate; and where that cannot be done, that they do at least reside so near to the place, that they may conveniently perform all their duties both in the church and parish.

These, my lord, were the orders and resolutions, to which we all agreed, and which I do hereby transmit to you; desiring you to communicate them to the clergy of your diocese, with an assurance, that you are resolved, by the grace of God, to direct your practice in these particulars agreeably thereunto. And so commending you to the blessing of God in these, and all your other pious endeavours for the service of his church, I heartily remain,

My very good lord,

Your truly affectionate brother,

W. Cant.

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